

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
CALIFORNIA DESERT DISTRICT ADVISORY COUNCIL

REPORTER'S TRANSCRIPT OF PROCEEDINGS

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Ridgecrest, California

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REPORTED BY: JUDITH W. GILLESPIE, CSR, RPR, CLR
(No. 3710)

JOB NO.: 69195JG

A-P-P-E-A-R-A-N-C-E-S

MEMBERS PRESENT:

REPRESENTING:

CHAIR THOMAS ACUNA

Renewable Energy

RANDY BANIS

Public-at-Large

MEG GROSSGLASS

Public-at-Large

RICHARD HOLLIDAY

Recreation

PATRICK LLOYD GUNN

Wildlife

JAMES FITZPATRICK

Public-at-Large

BRAD MITZELFELT

Elected Official

THOMAS P. HALLENBECK

Transportation/Rights-of-Way

ALEXANDER SCHRIENER, JR.

Renewable Resources

APRIL SALL

Public-at-Large

BLM STAFF PRESENT:

TERI RAML, District Manager, California Desert
District (CDD)

JACK HAMBY, Associate District Manager, CDD

STEVE RAZO, External Affairs Officer, CDD

DAVID BRIERY, External Affairs Specialist, CDD

HECTOR VILLALOBOS, Ridgecrest Field Office Manager

JOHN KALISH, Palm Springs Field Office Manager

RUSTY LEE, Needles Field Office Manager

MICKEY QUILLMAN, Barstow Field Office Chief of
Resources

MIKE AHRENS, Needles Field Office, Recreation/
Wilderness Manager

NEIL HAMADA, Imperial Sand Dunes Recreation Area
Manager

ROBERT PAWELEK, Ridgecrest Field Office Resource
Manager

TOM ZALE, El Centro Associate Field Office Manager

AL STEIN, CDD Resources Manager

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1 Ridgecrest, CA

Saturday, June 19, 2010

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CHAIRMAN ACUNA: I'm Tom Acuna, the DAC chairperson, and I would like to welcome you to the BLM DAC Advisory Meeting at Ridgecrest. I would like to start out with the Pledge of Allegiance. I have asked Richard Rudnick to please lead us in that.

(Pledge of allegiance.)

Before we get started, normally each of us provides our comments or a field report. That comes in a few minutes, but what I would like to start out with is Meg and work our way around this way with our introductions. Please state what you represent and your name. Thank you.

MEMBER GROSSGLASS: Meg Grossglass, and I represent the public-at-large.

MEMBER BANIS: Randy Banis, I also represent the public-at-large and I'm a resident of Leona Valley, California.

MEMBER RUDNICK: Richard Rudnick, and I represent renewable resources.

1 CHAIRMAN ACUNA: I'm Tom Acuna, and I
2 represent the renewable energy industry.

3 MEMBER SCHRIENER: I'm Alexander Schriener,
4 and I represent a renewable energy, particularly
5 geothermal.

6 MEMBER SALL: I'm April Sall, and I represent
7 public-at-large.

8 MEMBER HOLLIDAY: My name is Dick Holliday,
9 and I represent recreation.

10 MEMBER GUNN: I'm Patrick Lloyd Gunn, and I
11 represent wildlife, particularly Desert Bighorn Sheep.

12 MEMBER FITZPATRICK: James Fitzpatrick,
13 public-at-large, and I represent the motion picture
14 industry.

15 DIRECTOR RAML: I'm the district manager for
16 the California Desert District, and I'm the designated
17 federal official. One of my duties is to open this
18 meeting, so this meeting is open.

19 CHAIRMAN ACUNA: Excellent. First level of
20 business here, we have to approve the March 27th
21 meeting transcripts. And I hope you all had a chance
22 to take a look at that and if there are any changes,
23 modifications that you think are necessary from the
24 DAC, this would be a good time to do that. Otherwise
25 I'm looking for a motion to approve the last meeting's

1 transcripts.

2 MEMBER BANIS: So moved.

3 MEMBER HOLLIDAY: Second.

4 ACTING CHAIRMAN ACUNA: Let's have a vote.
5 I'm asking for a positive approval for the transcript.

6 MEMBER FITZPATRICK: I just don't have them
7 but I will approve them.

8 (Hand vote taken.)

9 CHAIRMAN ACUNA: Very good. Any opposed? So
10 moved. We can move to the next item. Let's talk a
11 little bit about today's agenda. If you look at
12 today's agenda, you will see a closure at 5 o'clock,
13 and I'm hopeful that we are going to be out of here by
14 4:00. And it's going to take all of our concentrated
15 effort to make sure we do that.

16 There is big period about two hours that is
17 going to take a lot of time, and for those in the
18 general public, we are going to talk about a new idea
19 for the DAC on how we potentially review renewable
20 projects. And I won't go into it at this point, but
21 we will explain that to you and we will have some
22 discussion. And you will have an opportunity to
23 comment on that later in the day.

24 So with that, let's talk a little about
25 yesterday's field trip. And first of all, I think all

1 of us here in the DAC, we had a great opportunity to
2 see several projects here, Solar Millennium was one of
3 them; Haiwee Geothermal was another one. We at the
4 DAC had an opportunity to ask hard questions of the
5 BLM. And I would like to thank Hector and Paul from
6 the Ridgecrest office for leading that discussion, as
7 well as Lynn. Very informative and useful day, I
8 thought.

9 So that's what I would say there. We will
10 have an opportunity to review -- I just wanted to go
11 over the public comment procedures. And let me make
12 this clear. I will read this so that you all know we
13 want to keep speakers to three minutes.

14 Speaker cards are available for those that
15 want to talk today. They are in the back. Comments
16 restricted to three minutes or less. If you would
17 like to talk about something not on the agenda, you
18 need to wait until 8:45. And before any action is
19 taken by the DAC, we will provide an opportunity for
20 the public to comment.

21 Going back to the summary of the field
22 tour -- I'm sorry, I stopped cold there. But I'm
23 back, Teri. Perhaps you would like to comment here.

24 DIRECTOR RAML: I will echo Tom's comments
25 about thanking the Ridgecrest field office. These

1 field trips are wonderful for all of us. Me, I'm
2 fairly new in the job, so the field trips are my
3 chance to go to the field. We did choose to visit
4 some sites where renewable energy projects have been
5 proposed. I'm a very visually oriented person, so to
6 be in the area, to see the landscapes was very
7 helpful. Hector, did you have a few words you wanted
8 to say?

9 MR. VILLALOBOS: I have a few things I wanted
10 to do. First of all, I would like to thank the Desert
11 Advisory Council for participating in this arduous
12 trip yesterday that we had. It was a long day, it was
13 hot, and we had a lot of things to do. And as you are
14 volunteering your time for this thing, I decided that
15 I needed to reward that somehow.

16 And you know whenever anybody comes to
17 Ridgecrest, you expect some kind of acknowledgment for
18 your volunteer time, so I'm going to be handing these
19 out, these little packets. Thank you for your
20 voluntary participation in our field trip. And it's
21 just a little bit of --

22 MEMBER HOLLIDAY: There isn't a burro in
23 here, is there?

24 MR. VILLALOBOS: Probably. This is not as
25 nice as some of the things we have done before for the

1 DAC, but it's --

2 MEMBER RUDNICK: We appreciate it.

3 MR. VILLALOBOS: We are in hard economic
4 times.

5 MEMBER GROSSGLASS: Even though I didn't go,
6 I get one?

7 MR. VILLALOBOS: Yes. I also want to thank
8 those folks from the public that went out with us
9 riding around. I know some of you are here today, so
10 I had extra ones because you volunteered your time on
11 the field trip; and of course, Ed doesn't get too many
12 freebies. And oh, I missed Mark here. I don't think
13 I missed any other members of the public with these
14 packets.

15 Then your packet of information included some
16 stuff there, basically some recreational opportunities
17 out there. Kind of give you an idea that there is
18 some wilderness around the areas, ACEC's around the
19 area. We saw Fossil Falls and I hope you enjoyed
20 that. Also the packet of information that we threw
21 together for you, we had one fellow trying to put it
22 all together for you. He did the best he could. It's
23 not as accurate as we would like it to be.

24 But one thing you can all do to help get
25 yourself informed in here is visit the BLM Web sites

1 and the CDC Web sites. There is a gob of information
2 at your fingertips if you visit those Web sites. And
3 you can get a lot -- you can find out exactly what the
4 wind policy is, exactly what the solar policy is, the
5 geothermal policies. You can get access to some of
6 the programatic publications, NEPA publications that
7 have already been published, one for wind, one for
8 geothermal, one coming for solar. So those
9 programatics give you a good idea of what and why we
10 are looking at what we are looking at.

11 That's all I have to say. I hope that trip
12 was informative. I tried to give you a picture of
13 what is being proposed and what some of the issues
14 might be. And that's basically it.

15 CHAIRMAN ACUNA: Very good. Hector, nice
16 summary. Appreciate it. We are going to be talking
17 about the field sites that we looked at yesterday as
18 we move on in discussion today. Okay.

19 So we are just a few minutes ahead, and
20 that's good. So let's go to the next item on the
21 agenda. We are going to open this up for public
22 comment. And these are things that are not on the
23 agenda, including requests for the DAC to consider
24 items for the future agendas. So with that, I would
25 like to ask John Stewart to please step up and state

1 your name and give us your comment.

2 MR. STEWART: Good morning. John Stewart,
3 California Association of Four-Wheel Drive Clubs.

4 In looking at the agenda for this meeting and
5 past meetings, there has been a heavy emphasis on
6 renewable energy projects. I would like to remind the
7 DAC that somewhere along the line is -- one of the big
8 uses of the desert areas is for recreation. And I
9 would encourage the DAC to start bringing some of the
10 recreation issues more into the forefront.

11 I think the last tour of a major recreation
12 area was last fall at Johnson Valley. With the new
13 members of the DAC and new members on the Desert
14 District's staff, I think it's about time that a new
15 look be given at a tour of the various recreation
16 areas and places where the recreation people go and
17 looking at the potential impact of what recreation is
18 and what the actions that are coming up in the desert
19 are going to have on recreation, because that's huge.
20 There's a large population around here and a large
21 percentage of the people in the metro area.

22 I would like to stress again that one of the
23 things we need to keep in sight is the recreation
24 opportunities and the potential impact on those
25 recreational opportunities as the various things move

1 forward. Thank you.

2 CHAIRMAN ACUNA: Thank you, John.
3 Appreciate that.

4 The next person to provide comment is Ed
5 Waldheim. Please state your name and provide us your
6 comments.

7 MR. WALDHEIM: Ed Waldheim, Friends of
8 Jawbone, Friends of El Mirage. Thank you for giving
9 me the opportunity. You were quicker than I expected
10 you to be.

11 The OHV program is an integral part of the
12 BLM's financial resource. I've been trying to add up
13 really quick, and Tim Keeler's normally the one to do
14 this. I didn't get -- you were too quick for me. I
15 will add it up and report on it later on.

16 Millions of dollars have been invested in
17 here. Friends of Jawbone alone got 1.6 million
18 dollars for the next budget cycle. Total between our
19 non-profits, 1.9 million dollars, just the Friends of
20 Jawbone and Friends of El Mirage and California Trail
21 Users Coalition.

22 The work we're doing to assist in partnership
23 with the BLM, it's tremendous. I would like to see
24 you put on the agenda, as Mr. Stewart talked about,
25 very specific recreation. Recreation is always kind

1 of shoved underneath the table. We don't really get
2 our due on how important it is. When you have
3 millions and millions of people who come to this
4 California desert -- I always say that 60 to 70
5 percent of the recreational opportunities in the state
6 of California and visitors are here in Southern
7 California. They are not in the north. They are
8 here. Why? Because this is where the population of
9 the state of California is. If we were on a scale, it
10 would tip like that (indicating). But we don't give
11 it its due attention.

12 One of the things I have been working with
13 staff and with the deputy director, to see if we can
14 start having management meetings. We have regular
15 management meetings that I chair and we schedule with
16 all the field managers. Teri came to the first one.
17 These are invaluable for the managers to know exactly
18 what is happening out in the field and get all the
19 constituents involved. But I'd like to go a little
20 bit past that point where we sit down with the
21 managers, with the rec officers and the field
22 managers. What is your program for off-highway
23 vehicles? What are you really looking for? How are
24 you planning for the future? What are we going to be
25 doing, because so many times we put in for a grant and

1 there is money coming in. But if I were in a grant --
2 and I talked to six for three days on a tour with
3 me -- do you really know what your field manager is
4 doing? When you go to the bank for a loan, you have
5 to justify what you are going to do with the money
6 that you are giving to them.

7 We have to start getting smarter on what we
8 are doing. Now, there is a big responsibility for the
9 off highway community and all recreationists to be
10 responsible in using public lands. We were in a
11 trouble in a lot of the areas because people are
12 willfully ignorant. That has to change. So there is
13 a responsibility on our side for the public to start
14 behaving and doing the things necessary. It's not
15 your responsibility.

16 But we need to make sure that we figure out,
17 do we really know how we are utilizing all the funds?
18 What program or what part are we going to start
19 working on first so we have a systematic checkoff list
20 that goes. And we need to utilize the users or the
21 volunteers or associations more where you can maximize
22 your dollars.

23 You cannot possibly do it all by yourselves.
24 Thank God Hector Villalobos has done an incredible job
25 working with the Friends of Jawbone. And Mickey

1 Quillman is incredible. There is nobody better than
2 him working with us in the El Mirage area. We are
3 going to do the same thing in El Mirage as we do in
4 Jawbone.

5 I will pass out a sheet for you to show you
6 just how much we have done since July 1 since the
7 regulation has allowed us to be part of the
8 on-the-ground operations. Anything in this purple
9 color is trails and fencing, and we have cut off any
10 illegal riding by our restoration money. Everything
11 in green is fencing we have done with the RTP money,
12 the federal money, \$288,000 to spend on fencing off
13 any illegal trails.

14 Jawbone Dove Springs, within the next three
15 months, will be buttoned up. That means you are not
16 going to be able to go off trail unless you are totally a
17 violator going around our closures. It's very clear.
18 Anybody with any common sense would know, hey, that is
19 off limits because there is going to be a fence and
20 there's going to be signs. So physical barriers.

21 But I will report back later on to you
22 exactly what the numbers are. But I'm really pleased
23 to see the cooperation. I'm pleased with Teri. She
24 wants to be on the ground, and we will start
25 scheduling time for her to go to the Barstow and

1 Ridgecrest offices to show her everything that we are
2 doing together. The challenges are immense. BLM
3 can't do it all by itself. The State of California
4 and Daphne Greene is here as a partner to help you
5 guys get everything done, but we need to really have a
6 clear understanding where we are going on recreation.

7 CHAIRMAN ACUNA: That was a very good three
8 minutes. Thank you, Ed. Next round we are going to
9 have the air horn at three minutes. It goes off. I
10 know we are joking a little bit about it, but Ed, your
11 comments are well taken. Thank you.

12 (Brad Mitzelfelt enters.)

13 CHAIRMAN ACUNA: Let's -- before we go on to
14 the next and we can close this public comment period,
15 do we have another one?

16 MR. WELLING: James Welling, W-e-l-l-i-n-g.

17 CHAIRMAN ACUNA: (Checks card.) This is an
18 agenda item, so we can wait until later for your
19 comments. So thank you.

20 So I would like to open this up to the DAC
21 for their individual field reports or comments. So
22 let's go there. Meg, I will start with you.

23 MEMBER GROSSGLASS: Everybody knows I have a
24 big mouth and don't need to use the mic. I would like
25 to see the DAC -- and I forgot to tell Steve I was

1 going to do this. I'm so sorry.

2 There is a PM-10 issue in Imperial County,
3 and we are trying to get a ruling from EPA, but I know
4 that we have exceeded their PM-10 three times in the
5 past three years. None of them have been because of
6 OHV use, but extreme wind disturbances or stuff coming
7 over the border, yet the EPA still wants to put
8 stricter controls on that. I would like to see the
9 DAC maybe get a report on that or work on that, work
10 on that in the future because they have no scientific
11 data that says we were the problem, yet they want to
12 regulate us.

13 This is an area with very high unemployment,
14 and we bring a lot of money into that county, so I
15 would like to see the DAC be briefed on it and then
16 take some kind of a motion on it or think about taking
17 action on it, because if we let it go here, it's going
18 to spread all through the state.

19 CHAIRMAN ACUNA: I think that was a very good
20 point, Meg. And the point, although I'm not familiar
21 with this issue, is that ATVs kick up dust in the sand
22 dunes and those particulates add to the air pollution
23 in that air basin. That, combined with other users in
24 the Imperial Valley, create a problem that EPA feels
25 they need to step in and resolve. I guess the worst

1 case would be is that you would limit the number of
2 ATVs or the amount of dust being put into the air.

3 So it's an important issue. I guess I'm
4 never surprised at the ingenuity of ways that people
5 can find to stop something that perhaps they don't
6 approve of. And this is certainly a valid way to do
7 it. So maybe we can add this to the agenda. Let's
8 complete everyone's discussion and see how we do, and
9 maybe this will be one of them we can bring back.

10 MEMBER GROSSGLASS: I would like to see it
11 added to the agenda for the next meeting for sure.
12 And I don't know who the appropriate person would be
13 to give us information and explain it to us, but I
14 would like to see that done, please.

15 CHAIRMAN ACUNA: Let's make the complete
16 round and let's see what falls out. And then as a
17 group let's pick what we think is necessary for the
18 next agenda. Okay, Randy.

19 MEMBER BANIS: Thank you, Mr. Chairman. I
20 would like to especially welcome our guests in the
21 audience from the Ridgecrest area. It's great to be
22 back here in Ridgecrest with my friends and supporters
23 that I have worked closely with over the last number
24 of years.

25 I would like to recognize my friend and

1 mentor Ed Waldheim, from the local area; James
2 Welling, who is a member of our Friends of Jawbone;
3 Dave Matthews from the steering committee. You may be
4 hearing from him a little later. Mark Algazy is a
5 member of the Friends of Jawbone, a regular at our
6 steering committee meetings. And my good friend Jim
7 Kenney is here as well, who also has been tagging
8 around the various users groups in the Ridgecrest area
9 and with his contributions.

10 And I thank you all for coming here today. I
11 also thank our friends from National Public Land News,
12 who is joining us in the corner by videotaping and
13 keeping this meeting on the public record for the
14 future for people to consult and feel like they were
15 here.

16 I would also like to congratulate the
17 Ridgecrest field office and the nonprofit
18 organizations within for the great work they did in
19 securing the grants from the California Off Highway
20 Motor Vehicle Recreation Commission. There is one
21 grant in particular that I'm most excited about, to
22 tell you the truth. I think it was approximately a
23 year or so ago I presented a brief White paper to the
24 DAC regarding a project I thought was important about
25 presenting to the public in an easy-to-find,

1 easy-to-use way, the designated route networks for the
2 public to follow to be able to navigate the desert
3 safely and also responsibly in harmony with the
4 ecosystem.

5 And this grant program I termed "A Route
6 Initiative for the 20th Century." The idea is to
7 collect official route data in electronic format and
8 to prepare and disseminate it to the public through
9 the Internet for the public to either consult on their
10 own computers, but to also download right into their
11 GPS units while they are out enjoying and exploring
12 the back county.

13 And the beauty of that is with a route
14 network right into the GPS, if you are following the
15 line, you are on the designated route. If you are no
16 longer on the line, you turn around and you go back
17 because you are now not on legally designated routes.
18 I'm pleased to say that a grant request for a pilot
19 program for this database was approved by the State
20 and will be executed by the Friends of Jawbone. And I
21 will keep everybody posted on the progress.

22 Also on Friends of Jawbone news, please, I
23 encourage members of the public and especially members
24 of the DAC to visit the friends of Jawbone Web site at
25 Jawbone.org and please subscribe to our E-Newsletter.

1 We have nearly 500 subscriptions on our E-Newsletter
2 program. If you are a Facebook user, it's a must.
3 You have to add Friends of Jawbone to your list of
4 Facebook friends. We have nearly 1,000 fans on
5 Facebook. We are reaching 1500 people quickly and
6 immediately with important messages about the
7 opportunities and goings on in the Jawbone area.

8 I would like to take a moment of my report to
9 update the public and the DAC on the Dumont Dunes
10 subgroup. It meets regularly at the Barstow field
11 office. In its most recent dealings, we have worked
12 on two key issues in conjunction with the field
13 office. First, the subgroup members were engaged by
14 the field office to provide input and consultation on
15 where fencing would be placed that will be funded by
16 an OHV grant, the fencing to preserve the sensitive
17 resources adjacent to the Dumont Dunes OHV recreation
18 area. It's quite a challenge there, being a popular
19 and long-standing motorized use area that is
20 surrounded essentially by wilderness and sensitive
21 habitat.

22 And it's a challenge to educate the users to
23 stay in the dunes and to minimize the footprint on the
24 sensitive resources. And fencing, I believe, is a
25 component of that education program. And thanks to

1 the Barstow office for including us in the
2 discussions, and we have helped them to prioritize the
3 best places we feel that the money should be put on
4 the ground to get the maximum results.

5 A second issue is that the Dumont Dunes
6 subgroup, in conjunction with the BLM field office,
7 has been working toward the goal of decreasing, if not
8 eliminating altogether, the collection of cash for fee
9 permits in the Dumont area. The Dumont area is very
10 remote, and managing and safeguarding not only the
11 cash, but also the safety of those who handle that
12 cash is a challenge in such remote areas. And the
13 movement toward off-site sales was encouraged by the
14 subgroup. And three years later now, we are working
15 toward a more streamlined fee structure that will have
16 a stronger dependence on off-site sales, will
17 eliminate cash on-site, and also make a fee structure
18 that's easier to implement and easier for the public
19 to understand.

20 The revised fee structure was presented to
21 the subgroup, and the subgroup participated and helped
22 craft that fee structure and has supported the new fee
23 structure that is being proposed for approval to the
24 Recreation Resource Advisory Council in this region.
25 They will be considering that fee structure change at

1 the end of this month, and we are hopeful this fall
2 users will be able to use the dunes in a simpler,
3 easier way to get the fees paid and get out on the
4 sand more quickly and enjoy their stay at Dumont.

5 Thank you, Mr. Chairman.

6 CHAIRMAN ACUNA: Very good. Randy, thank you
7 very much. Richard.

8 MEMBER RUDNICK: Thank you, Richard Rudnick.
9 I will try to make it a little bit shorter than
10 Randy's. Two points that I would like to bring out.
11 I really thank Ed and the Friends of Jawbone and all
12 the volunteers that have done such a great job in
13 showing the public where they are supposed to be. And
14 I think this -- a big part of signing, fencing,
15 blocking trails that are not to be used and the areas
16 to be is a big part in the education of the users of
17 the desert.

18 Secondly, it seems like that although the
19 desert is very resilient, we've got a lot of uses and
20 a lot of new uses that are wanting to come here. As
21 we saw yesterday, the solar, the wind, all the
22 renewable energy sources, everybody wants their part
23 of the desert. And sometimes we forget there is
24 already uses of the desert and there is already things
25 being done there. Even the open space is valuable.

1 It's a big job for the BLM and a less big job
2 for us, but still we take it very seriously in
3 advising the BLM in trying to come up with what we can
4 do, where and when. And to me, that's the big
5 challenge for the future. And the thing that when you
6 put all the multiple uses together in the desert, we
7 have to come up with some kind of compatible use and
8 plan. Thank you.

9 MR. HALLENBECK: I want to thank Hector and
10 his staff for the field tour. They were very
11 accommodating, and I appreciate the hospitality.

12 What occurred to me was just the huge amount
13 of lands that we have been talking about here with
14 these alternative energy projects. Just yesterday we
15 reviewed hundreds of thousands of acres that are being
16 asked to set aside for study and use by alternative
17 energy projects. And it's way over the cap of
18 anything that these guys set aside for developable
19 land. So I'm looking forward to the discussion where
20 we can provide some rational advice to the BLM on how
21 to address the influx of these projects and the
22 potential cumulative impact of it on the desert and
23 the other uses and also taking into account the
24 existing roads and access points.

25 MR. MITZELFELT: Brad Mitzelfelt. I wanted

1 to just very quickly mention that San Bernardino
2 County has adopted a blanket policy relative to
3 mitigation on renewable energy projects. And
4 basically it gives guidance to our staff and our
5 Council for commenting on all of the applications that
6 come forward. And it gives kind of a predictable,
7 really, description of the County's policies and the
8 way we approach mitigation.

9 And we are actually adding a portion relative
10 to historic uses and protecting other uses that are
11 impacted by renewable energy projects, as suggested by
12 Meg here. And we are adding that and we took it to
13 the Quad State Authority, which is a group of eight
14 counties in four states. They adopted it, and we are
15 taking it to the National Association of Counties in
16 July at their annual conference in Reno. So we are
17 suggesting that all counties adopt similar policies.
18 And it suggests several different ways how mitigation
19 can be addressed rather than just acquiring land and
20 restricting land uses. So I didn't bring a copy with
21 me, but I will get a copy out to everyone for their
22 information. Thanks.

23 CHAIRMAN ACUNA: Thank you, Brad, I'm very
24 interested. Perhaps you could send, circulate that on
25 e-mail for the DAC. We would like to share those with

1 representatives of San Diego. My comments are going
2 to be incorporated into a later agenda item.

3 MEMBER SCHREINER: No comments.

4 MEMBER SALL: April Sall, public-at-large. I
5 would like to thank the volunteers and the BLM staff
6 for the tour yesterday, but especially the volunteers.
7 We had a great tour around the Ridgecrest field
8 management area, and it brings up some great
9 discussion about a lot of issues, including renewable
10 energy projects.

11 And I think it's important to think about all
12 of the uses of the desert as we move forward in this
13 process, with all the pressure coming down from D.C.
14 offices and to some degree state offices for
15 regulations on renewable energy, because in addition
16 to the 1.2 million acres of projects being applied for
17 on BLM land, there are hundreds of thousands of acres
18 being proposed on private land. And that needs to be
19 thought about and balanced, because as everyone has
20 mentioned, the BLM lands have multiple uses for both
21 recreation, motorized recreation and nonmotorized
22 recreation, as well as for habitat uses and several
23 other things and just enjoyment of both residents and
24 tourists.

25 So I think it's very important that we think

1 about how we can minimize the impact on the pristine
2 lands and recreation lands and keep track of how much
3 development is being proposed on private lands and
4 help to circulate that information so that we don't
5 necessarily destroy or sacrifice public lands for a
6 development purpose without considering all of the
7 cumulative impacts.

8 MEMBER HOLLIDAY: Dick Holliday. I'm the
9 chairman for the DAC subgroup for the Imperial Sand
10 Dunes Recreation Area. And we haven't had a meeting
11 since the last DAC meeting. We have a new manager in
12 the El Centro field office, so we elected to wait
13 until the new manager was available to have our
14 subgroup meeting. It's scheduled for July 23.

15 We have had some additional -- last DAC
16 meeting we talked about -- we had some people in that
17 talked about the access issues between the dunes and
18 other area on the other side of the railroad tracks.
19 We call that the wash. We will have a discussion
20 today from Neil Hamada, the dunes manager. We have
21 had discussions with the railroad and with the County
22 in the current situation. We feel it's between the
23 railroad and the County, not the BLM at this point in
24 time. But Neil will give you a little more update on
25 that.

1 I did want to make one comment about Tom's
2 comment there about the PM-10. It's really not so
3 much dunes people that -- dune use that's causing the
4 PM-10. It's more in the camping area where there is
5 disturbed land, if you will, along the railroad
6 tracks. The sand dunes itself really produce very
7 little dust or PM-10 because they are sand. But the
8 camping areas and people traveling in the wash areas
9 do generate some dust issues.

10 Most of the dust issues, as Meg has
11 suggested, the three incidents that exceeded the
12 amount of PM-10 were actually in the summertime when
13 there is not very much off-road use available there.
14 So it's a contentious issue at this point in time.

15 One other thing -- and I want to thank
16 everybody, too, for the tour yesterday. Some real
17 good opportunity to see some of these areas. One of
18 the issues that the DAC did a few years ago, even
19 before I was on, was they had some people from Cal-ISO
20 and other people that explained the other requirements
21 that are necessary for renewable energy projects.
22 California Energy Commission and Cal-ISO also have to
23 give permits. There is also short-circuit duty
24 studies and how the transmission requirements fit into
25 the grid operation that have to be approved before a

1 permit can be issued for a renewable energy project.

2 So I would suggest that maybe at one of our
3 future meetings, especially when we get the new
4 Council members on, that maybe we could get Cal-ISO
5 and give a little explanation of some of the other
6 things that have to be accomplished before a renewable
7 energy project can be executed.

8 That's all I have at this point.

9 MEMBER GUNN: Patrick Lloyd Gunn. And it's
10 good to be back in Ridgecrest. I have always enjoyed
11 Ridgecrest and the surrounding area, and I have done a
12 few projects with the BLM in this area. One notable
13 one to me, anyway, was at Surprise Canyon. We cleaned
14 up -- I helped clean up Chris Wichts Camp after an
15 accidental fire in that area.

16 Also, as far as renewable energy goes, one
17 that I just made myself familiar with and I gave the
18 DAC members pictures of this area is Ivanpah. Besides
19 the recreational opportunities Ivanpah Valley
20 presents, if you look at the first picture, just the
21 beauty and the visual resource of Ivanpah is
22 important.

23 One of the pictures, another item at Ivanpah
24 that I questioned was in one of the pictures you will
25 see. It looks like a road or it's a scar on the

1 landscape, which is a natural gas line that was put in
2 I think at least ten years ago. Now, from what I
3 understand, there was an attempted revegetation of
4 that area, but as you can see, it didn't work.

5 I'm just worried that same thing might happen
6 to 4,000 or 8,000 acres that are planned for renewable
7 energy in this area. And I hope that in the plans for
8 monies for revegetation, that if this area is
9 developed, that there will be enough money if a
10 revegetation or restoration fails, that there is
11 enough money to go back. They have to save the
12 original soil and other things to make sure that other
13 vegetation that's already there, to make sure that
14 this area is restored when the lease runs out if this
15 area is developed. That's all I have.

16 MEMBER FITZPATRICK: Jim Fitzpatrick,
17 public-at-large. And my interests are representing
18 the motion picture industry in California. As you may
19 or may not know, the motion picture and entertainment
20 industry generates about 35 billion dollars in the
21 state of California. Recently on the filming and
22 television side, 40 other states have introduced tax
23 credits or tax incentives to entice this clean
24 industry, because it doesn't really leave a footprint
25 for the most part, to bring economic benefits. Most

1 notably New Mexico and Louisiana give away -- 25 to 35
2 percent of your budget comes back to you. Michigan is
3 at 43, although I hear stories -- never mind.

4 Anyway, the point is that we try to keep
5 filming in California, and I have been in this
6 industry since 1974. The BLM does a wonderful job now
7 of making sure that they can turn around permits as
8 fast as possible and allow filming to exist. Why is
9 all this pertinent to the DAC? The renewable or
10 alternative -- whatever you want to tag it with --
11 these projects, which the BLM is under immense
12 political pressure to achieve, also become an eyesore,
13 like Lloyd said, for the film industry.

14 So if you have Trona Pinnacles, which is not
15 being considered, but if you had Cuttingback Lake
16 where I went on Thursday -- I went on a tour with Doug
17 Luke, who is the tourism and film bureau for the City
18 of Ridgecrest. And when I come to Ridgecrest I try to
19 take a tour with him at different areas that get
20 filming or areas that we might want to have filming
21 that haven't had filming in the past.

22 And when you get out in the middle of
23 Cuttingback Lake, and I have pictures that I will pass
24 along to the DAC, they are marked with a directional
25 thing, if you had either solar, the mirrors reflecting

1 up there, or you had wind towers, it would be
2 problematic.

3 Now, in Palm Springs where we used to shoot,
4 people would go there to shoot the windmills. But if
5 the windmills suddenly appear there on the other side
6 of Red Mountain -- now they are not being considered
7 for that but let's just say it comes up -- that would
8 not be a good thing for the film industry. So they
9 would have to CGI computer graphics out every one of
10 those, which would be a disaster. And these places
11 would dry up and the economy would dry up.

12 Doug pointed out we had one shoot, just a
13 commercial partly out in Death Valley and partly out
14 there in Trona. And I think he said there were 25
15 people for a week spending a lot of money. So it's a
16 tremendous boon to the local economy. And I'm going
17 to pass these pictures around to the DAC members.
18 Thank you very much.

19 CHAIRMAN ACUNA: What I heard were a few
20 items that we might be able to add to the next agenda.
21 I would suggest we wait until the end of the meeting
22 when we plan for the next meeting and see what shakes
23 out with the discussions we are going to have with the
24 discussions on other agenda items and we pick and
25 choose. So, Meg, one of the things is making sure we

1 talk about that. Randy, thank you for your report, it
2 was excellent.

3 I think the discussion about visuals that Jim
4 just brought up, as well as Patrick, the visual
5 aspects of renewable projects, we are going to be able
6 to talk a little about more about our potential
7 process and how we might consider those concerns. And
8 April, your thoughts on maybe there are better ways
9 and the process we are talking about will help. So
10 I'm going to bring this to a closure, the DAC
11 discussion right now, and move to Teri Raml for her
12 State Director's report.

13 DIRECTOR RAML: First thing I would like to
14 do is have the BLM staff that's here introduce
15 themselves. I probably -- we will start with John,
16 everybody who works for the BLM.

17 MR. KALISH: John Kalish, field manager in
18 Palm Springs.

19 MR. LEE: Rusty Lee, field manager in
20 Needles.

21 MR. STEIN: Al Stein, chief of resources in
22 the Desert District office.

23 MR. HAMADA: Neil Hamada, Imperial Sand Dunes
24 Recreation Area Manager.

25 MR. PAWELEK: Robert Pawelek, branch chief

1 for resources at the Ridgecrest field office,
2 replacing Dave Shaw sin.

3 MR. QUILLMAN: Mickey Quillman, chief of
4 resources, associate field manager, Barstow.

5 MR. HAMBY: Jack Hamby, associate district
6 manager of the California Desert District.

7 MR. ZALE: Tom Zale, associate field manager,
8 El Centro.

9 MR. VILLALOBOS: Hector Villalobos, field
10 manager here in Ridgecrest, California.

11 MR. BRIERY: David Briery, external affairs,
12 CDD.

13 MR. RAZO: Steve Razo, external affairs
14 officer, CDD.

15 DIRECTOR RAML: I do that for a couple
16 reasons. One is to kind of demonstrate the commitment
17 that BLM has to these DAC meetings. We turn out in
18 force to be with you, to learn from you, and to offer
19 our expertise. Those are the folks I get a panicked
20 look on my face and glance at when something comes up
21 that I am unfamiliar with or I don't know the details
22 for. So you can look to them when I go "Ah," so we
23 have a lot of expertise in the room to help me.

24 I'm not Jim Abbott, as you would guess, so
25 Jim Abbott sends his regards. And I am going to go

1 through the report that he and Jan provided for us.
2 And you will also catch some redundancy in what we
3 say, so you get an idea of what we think is important.

4 Also, Jim -- I always join with Jim in
5 extending our thanks to the DAC members. We talk a
6 lot about your time commitment. Everybody is busy
7 people, and we really appreciate the time that you
8 take to be with us and to work on BLM issues.

9 So from the national and state perspective, I
10 turned on the news this morning, and I think all of us
11 know what's in the news in terms of the Gulf of Mexico
12 and the oil spill. And the Department of Interior is
13 spending a great deal of time on that issue, on that
14 horrible tragedy. Secretary Salazar and the
15 department are heavily involved. BLM Director Bob
16 Abbey has been on short-term detail down there. Bob
17 is from the South. He is an excellent executive, and
18 he was called on fairly early in the crisis to be of
19 assistance, and he is still down there.

20 I keep waiting to hear -- people have been
21 telling me unofficially that Bob had been acting as
22 the Director of Minerals Management Service in
23 addition to continuing to be director of the BLM. And
24 I am hearing informally that it's changing, but for
25 now he is still our director.

1 While he is doing these other duties, our
2 friend, Mike Pool, former California state director,
3 is stepping up to be the acting director or being the
4 deputy director. He will do what he is called upon to
5 do. Until a new State director is chosen, Jim Abbott
6 will be acting. But it will remain in place until we
7 hear otherwise. And as people have mentioned, we have
8 a full field manager staff in CDD. Margaret Goodro
9 had reported last Monday in El Centro, and she was
10 unable to be here this week, and she looks forward to
11 working with all of you.

12 Let's see. 2010 budget. We are more than
13 halfway through the fiscal year, and we are thinking
14 two things: One is how to close out the fiscal year,
15 which is always a real challenge, and also thinking
16 about the next fiscal year, 2011. The President's
17 budget is out. It looks good for BLM, which is rather
18 surprising and good news for us when we start out with
19 a solid president's budget. President Obama has
20 proposed a 1.1 billion for BLM in 2011, which is an 8
21 million dollar increase over last year. So that's the
22 President's budget.

23 It's looking -- all of us -- I'm probably the
24 least able to read tea leaves in this arena, but it's
25 looking like we won't have an approved budget, so we

1 will be operating under a "Continuing Resolution"
2 through the rest of the year, through fiscal year '11.

3 Legislation: We are in the last few months
4 of 111th Congress so there are a number of bills
5 pending that could affect the desert. I'm not going
6 to go into any great detail on these, but a lot of you
7 probably know more about the details of the California
8 Desert Protection Act of 2010 than I do, Senator
9 Feinstein's bill which has been in the works for quite
10 a while. Hearings were held in the Senate Committee
11 on Energy and Natural Resources in May. That
12 testimony is available, and you can load it up and
13 watch it. Director Abbey spoke at that hearing.

14 Orange County Rocks. Representative
15 Campbell. This bill passed the House and was heard by
16 the Senate Subcommittee on Public Lands and Forest in
17 April and markup occurred earlier this week.

18 Beauty Mountain Wilderness, which is
19 Representative Issa's bill and Soledad Canyon/CEMEX,
20 Representative McKeon's bill, have yet to have
21 hearings scheduled.

22 State priorities. We just came -- all field
23 managers and I came from the State Management Meeting,
24 and we have -- just because of the work load, we
25 really have a consistent message on what our

1 priorities are. No surprise: Renewable energy. The
2 second priority is the American Recovery and
3 Reinvestment Act. We work very hard on implementing
4 those projects. California has done a tremendous job,
5 and you can look to hear more about the projects,
6 where they are at, what we did, how much was spent as
7 time goes on.

8 America's Great Outdoors. Lest you think we
9 forget about recreation, America's Great Outdoors, a
10 new initiative but it's the name of our effort to
11 discuss the priority of public lands in people's view
12 of the outdoors, their view and enjoyment of the
13 outdoors.

14 And then we continue to celebrate a piece of
15 America's Great Outdoors in the 10th Anniversary
16 celebration of the National Landscape Conservation
17 System.

18 So a little bit more information on those
19 priorities statewide. We have more than 150 solar
20 wind applications covering more than 1 million acres,
21 most of it in the Desert District. I will talk more
22 about that in the District Manager's report. BLM's
23 projects, 40 million dollars to fund 115 projects.
24 And I think with that I will wrap up because I have a
25 District Manager's report.

1 So any questions that you can see, I probably
2 would not be able to answer as clearly as I would
3 like, but any questions on the State Director's
4 report?

5 MR. LIEBSCHER: What does the BLM spend to
6 manage its field of coverage?

7 DIRECTOR RAML: I have no idea, but we will
8 write that down and --

9 MR. LIEBSCHER: I believe it's about \$2.75
10 compared to Forestry, which is \$20 dollars an acre.
11 You have more lands that you manage than anyone else.
12 And for the \$2.75, the BLM does a tremendous job.

13 DIRECTOR RAML: Well, I thank you for that
14 question and compliment.

15 CHAIRMAN ACUNA: Thank you for the comment,
16 but we are not taking comments from the public.

17 MR. LIEBSCHER: Sorry.

18 CHAIRMAN ACUNA: We want to thank you for
19 your comments, though, Teri.

20 DIRECTOR RAML: I stand corrected. No,
21 actually, I stay corrected.

22 CHAIRMAN ACUNA: Great report, good
23 information. Let's see.

24 Now we were at the point for a 10 o'clock
25 break. We are ahead of schedule, and I'm very pleased

1 with that. I think we should continue until we get to
2 10 o'clock, so that would mean for all of us the DAC
3 would ask questions -- after the review, the
4 individual field office reports -- now, for those of
5 you who are not familiar with it, the BLM has five
6 district offices, Ridgecrest, Barstow, Needles, Palm
7 Springs and El Centro. And they publish a report of
8 what is going on in their district and they circulate
9 that.

10 And it's job at the DAC to review that and if
11 we have questions, to ask the individual field office
12 managers to provide some sort of response. So at this
13 point I would like to open it up to the DAC, starting
14 with Meg -- no, I'm always picking on you first. I
15 will go to Jim Fitzpatrick, if you have any questions
16 on the field reports.

17 MEMBER FITZPATRICK: Well, I was curious of
18 El Centro. What is going on post-earthquake? And if
19 you are going to cover that in the report, I will just
20 wait because I didn't have a chance to read your whole
21 report.

22 MR. ZALE: Tom Zale, El Centro field office.
23 It's actually not in the report. But the office
24 during the earthquake sustained some damage. There
25 were probably between 10 and 15 percent of the ceiling

1 tiles that came down in the building, a number of file
2 cabinets and other pieces of furniture fell. Some of
3 those fell in cubicles. It's a really good thing that
4 the office was not occupied at the time we had the
5 earthquake because people could have been injured. We
6 have taken some steps -- obviously the office is up
7 and running.

8 MEMBER FITZGERALD: So you moved back?

9 MR. ZALE: We moved out for a week and couple
10 days. We have taken a number of steps to try to
11 improve the safety in the office by securing cabinets
12 and doing other repairs to the building. So we are up
13 and running.

14 MEMBER FITZPATRICK: Did the earthquake
15 affect any of the lands and structures that you
16 oversee?

17 MR. ZALE: Not to my knowledge.

18 MEMBER FITZPATRICK: Thank you.

19 MEMBER GUNN: No questions.

20 MEMBER HOLLIDAY: My only question was -- I
21 read all the reports and it looks pretty good. I have
22 one question for Barstow, and this is in regards to
23 the proposed fee increase at Dumont.

24 As part of the BLM Enhancement Act, there are
25 requirements for public comment periods for fee

1 increases or new fees. And I know that I just learned
2 of the fee increase at the Waldheim meeting in Moreno
3 Valley was where I first learned of this. And
4 subsequent to that, I have done some research and
5 tried to see if there is any public comment, and I
6 can't find any comment on the Web site. I can't find
7 any press releases by the BLM of this thing to notify
8 the public of the fee increase at Dumont.

9 While I personally don't have a problem with
10 the amount of fee increase or the fee increase itself,
11 I have a serious problem with the idea that it's not
12 publicly noticed. And now that it's going to our
13 R-RAC meeting, which is the 23rd of this month, and I
14 typically in previous times when there has been a fee
15 increase proposed in the CDD, it's been brought to
16 this DAC before it goes to the R-RAC. Can you explain
17 why we haven't had any public comment on it?

18 MR. QUILLMAN: I'm Mickey Quillman, associate
19 field manager of the Barstow BLM. And Roxie Trost
20 apologizes for not being here, but she has been
21 heavily involved in the public comment on the WEMO
22 lawsuit. We were proposing a different fee structure
23 for the Dumont Dunes Recreation Area, and as to why we
24 the haven't noticed that publicly, if I could refer to
25 Steve Razo to address the issue, he would do a much

1 better job than I.

2 MR. RAZO: Well, really, it's a proposal.
3 And it will get to the public. The public will have
4 its input into this before it ever would become an
5 actual fee increase. But they were not at that point
6 yet.

7 MEMBER HOLLIDAY: Let me comment then a
8 little bit about the requirement for the Federal Land
9 Enhancement Act as far as putting proposals in front
10 of the R-RAC. For the R-RAC to approve that, they
11 need to have general public acceptance or whatever the
12 wording is there for that. And in order for the R-RAC
13 to have general public agreement or acceptance,
14 whatever the wording is, it seems like they need to be
15 noticed. So again, it's an issue.

16 We had a very similar issue with the Imperial
17 Sand Dunes permit structure. There was a fee increase
18 that was proposed to go to the R-RAC, and the manager,
19 Steve Borchard, pulled that request off the agenda for
20 the R-RAC when we brought it to his attention that it
21 wasn't publicly noticed. So it's just an issue that I
22 have as far as making public notices before it goes to
23 the R-RAC.

24 MR. RAZO: Well, Clarification on that. He
25 pulled it because he felt we should have a little bit

1 more public input. There had been public input, and
2 because of the -- it seemed that there needed to be a
3 necessity to have additional public comment, he felt
4 it would be in the best interest to hold that to get a
5 little more additional public comment.

6 MEMBER SALL: No questions.

7 MEMBER SCHRIENER: No comments or questions.

8 CHAIRMAN ACUNA: I will pass.

9 MR. MITZELFELT: I'm good.

10 MR. HALLENBECK: I had a question for the
11 Needles report. I guess I could do this off line, but
12 I'm interested in the joint point of entry.

13 MR. LEE: How did I guess? Rusty Lee,
14 Needles field office manager.

15 MR. HALLENBECK: I see here an opportunity
16 for additional partnerships with other CDCs. Have
17 they been involved at all in like talking about a
18 Welcome Center for the tourists versus the two
19 facilities you mentioned in your report is the
20 agricultural inspection station and a commercial
21 vehicle enforcement facility. All traffic is going to
22 be routed through here and --

23 MR. LEE: I like the idea. It hasn't come up
24 yet. In fact, I might be in contact with Region 8,
25 Caltrans or --

1 MR. HALLENBECK: Who is the contact with the
2 BLM on this project? With you?

3 MR. LEE: Yes. I like that. Everything in
4 the past has been focused on agricultural inspection.

5 MR. HALLENBECK: Caltrans is always
6 interested in trying to find opportunities to welcome
7 people to California, provide information centers, and
8 also the California Tourism Bureau is involved in
9 setting up these as funding is available. So I will
10 be in contact with you and maybe we can enhance this
11 project and provide some more.

12 MR. LEE: Appreciate that. Thank you.

13 MR. HALLENBECK: Another thing. Maybe the
14 District Manager will cover it in her report, the
15 America's Great Outdoors Initiative. I think that's a
16 fabulous opportunity to get the youth involved in
17 spending time outdoors. And I would like to know in
18 general if there are any specific activities going on
19 in the management areas trying to encourage that.

20 MEMBER RUDNICK: Richard Rudnick. I don't
21 have any comments. Thank you all for the reports.

22 MEMBER BANIS: At the last DAC meeting, we
23 were asked to place on the agenda a discussion on the
24 Devil's Canyon issue in the El Centro field office.
25 And this has been discussed in detail in the report.

1 Thank you for updating us.

2 I would like to take a minute if I could to
3 open this to the Council and take this opportunity to
4 discuss this issue that we wanted to have agendized.
5 I think this is probably the best opportunity. I have
6 a specific question. First, may I -- if I may be so
7 bold as to be the one to summarize the context of
8 this.

9 At the last DAC meeting members of the
10 recreation community expressed concerns that a
11 technical four-wheel drive trail that had been in
12 recent use was -- had its use designation changed so
13 that only groups that met specific criteria would be
14 able to have access to this road. The Devil's Canyon
15 was actually once the highway, and when Highway 8 was
16 constructed across the canyon, this trail became a
17 dumping ground for the boulders and materials that
18 were blasted through part of the road construction and
19 were dumped in this old highway, essentially creating
20 the technical condition that has become nearly
21 legendary for the technical rock crawling and
22 four-wheel drive enthusiasts.

23 There were concerns by members of the public
24 that the use restrictions now in place are too
25 restrictive and make it difficult for the public to

1 again enjoy motorized access to that recreational
2 opportunity. And that's why we were asked to place it
3 on the agenda. So I would like to take this
4 opportunity for the field manager report to have an
5 update.

6 My key question is, reading from the report,
7 "The trail was not recognized by the CDCA plan."
8 Forgive me, I wasn't a party to the WECO planning
9 process. I participated in the NEMO and WEMO process
10 from cradle to grave, and I saw two different ways of
11 approaching the route planning, the route designation.
12 One was either a thorough route inventory or survey by
13 which ground crews were dispatched to record all the
14 motorized recreation opportunities to create a base
15 line from which the designations were eventually made.
16 Not all the planning areas had the benefit and the
17 resources to be able to do a full on-the-ground route
18 survey. So other planning processes started with the
19 prior route designations as the base line, and moved
20 through those base line designations to create the new
21 designations.

22 I guess my question is, I'm just surprised
23 that such a well-known route would have fallen off the
24 table during the route planning process and would not
25 have been retained in the WECO plan, and thereby,

1 would have avoided the necessity to make this a
2 special recreation permit applicable place. And most
3 of the public is interested in how are we going to go
4 forward and what plans are being made to engage the
5 public and restore to some degree or increase the
6 degree of recreational access to this area.

7 But I also just have that question mark. How
8 did it fall off the table to begin with? And why
9 wasn't this an issue during that planning process?
10 Thanks for allowing me to set this up, and I pray I
11 got it right in terms of the background.

12 CHAIRMAN ACUNA: Just before we get there,
13 because I think we want to discuss this and we want to
14 give the El Centro office an opportunity to provide a
15 little more history on this. And Meg, I know you want
16 to say something. But you stated a problem here,
17 Randy, and I hope that maybe there is a solution that
18 you have that you can share with us, eventually, what
19 you would really like to happen.

20 MEMBER BANIS: No.

21 MEMBER GROSSGLASS: We talked about this at
22 the last DAC meeting, and I was assigned to work with
23 the BLM user groups to work out this issue. I
24 believe, if I remember right -- and Tom will be able
25 to tell us -- I don't know that it necessarily fell

1 off the WECO. I believe that it was closed because of
2 Peninsula Bighorn Sheep habitat. It's been closed
3 from WECO, so it's been a closed trail. So this isn't
4 a new closure, it was because of Peninsula Bighorn
5 Sheep.

6 And then John Stewart brought up the fact
7 that they would like to use it. It's a technical
8 trail. We don't have a lot of that. An EA was done,
9 but no ROD, and the EA specified that it could be used
10 once a month during nonlambing season by groups. But
11 the big hindrance here was that insurance was required
12 and an ambulance was required to be on the site.

13 We have since, to my knowledge, worked both
14 of those out. They are not going to require
15 insurance, and they are only going to require that the
16 group puttin on the event can get an injured person to
17 where an ambulance will be. I believe that issue has
18 been taken care of. I think the BLM spent a lot of
19 work, did a lot of administrative work looking at
20 where they can go strictly by the guidelines in their
21 SRPs and all that kind of stuff. And I appreciate all
22 the work they did. And I understand that it's a
23 Bighorn Sheep habitat, and that we have come to what I
24 thought was a good compromise.

25 MR. ZALE: Tom Zale, BLM El Centro.

1 Well, in terms of the route falling off the
2 map, so to speak, I think the deal is this. And this
3 is to the best of my knowledge.

4 When our staff reinventoried routes for WECO,
5 this particular route through Devil's Canyon wasn't
6 included in the inventory because we actually don't
7 have the vehicles that would allow us to make that
8 journey through that canyon. So they didn't GPS it.
9 And I think the conclusion was that no one would go
10 there. It's not a route any longer because it's not
11 passable. Obviously, that's not quite true because
12 people do have the equipment and the interest in doing
13 that.

14 Meg, you are also right. In the, I guess,
15 time that's passed since the last DAC meeting, our
16 staff has been working with the off-highway vehicle
17 group interested in using that area. We were planning
18 to issue permits in accordance with the environmental
19 assessment that we prepared.

20 The issue of insurance, I think, has been
21 resolved. And similarly, the requirement that an
22 ambulance be on-site is not something that we will
23 require, either. But we do want to make it clear to
24 the permittees that we actually don't have the
25 capability if something occurs to effect a rescue. We

1 don't have the vehicles that would navigate that
2 terrain -- yet.

3 CHAIRMAN ACUNA: Okay.

4 MEMBER RUDNICK: Just one quick point of
5 clarification. You mentioned there was Bighorn Sheep
6 habitat. Are the sheep there now?

7 MR. ZALE: Well, it is sheep habitat. I
8 don't know if sheep are there at this very moment, but
9 sheep have been observed in that area. We did do a
10 consultation with the Fish and Wildlife Service as
11 part of our environmental assessment and
12 decision-making process. And the Fish and Wildlife
13 Service did render an opinion that our permitting with
14 the proposed use would be consistent with that
15 opinion.

16 MEMBER RUDNICK: So the sheep do frequent it?

17 MR. ZALE: From time to time. I don't have
18 the details on the exact sheep behavior in that area.

19 MEMBER GUNN: Just one comment on the Bighorn
20 Sheep and the use of that area. I don't think limited
21 use would be harmful, but if it's regular use by
22 vehicles, it could cause the Bighorn Sheep to abandon
23 the area. And there might be less vegetation if they
24 are forced to go somewhere else.

25 MR. ZALE: And the permits that we would be

1 issuing are limited in terms of both the season that
2 the permit can be utilized and also the total number
3 of events. So our plan is to work through this this
4 coming season. We will do some monitoring of the
5 situation to see how things go and make adjustments as
6 appropriate from there.

7 MEMBER FITZPATRICK: This is not for El
8 Centro. This is for everyone.

9 I just wanted to add that last night I got to
10 dinner late, but John and I discussed at length a
11 proposed film project that's going down in his area.
12 And I know that the district managers avail themselves
13 of Shari Davis and or of Doug Luke, but if there is
14 any time you can't reach them and you need to talk
15 about something or something doesn't seem right to you
16 in the application, do not hesitate to call my office.
17 Thank you.

18 CHAIRMAN ACUNA: Are there any other
19 comments from the DAC on this particular topic?

20 MEMBER BANIS: Conclusion. After everyone
21 has spoken, I would like to just have a moment.

22 CHAIRMAN ACUNA: Yes, please do.

23 MEMBER BANIS: If I may conclude with my
24 opinion on this. First, I apologize. I have a
25 statement from the public that is unfortunately in my

1 room. I would like to have an opportunity to enter
2 that into the record as I promised. It's a statement
3 greatly praising the field office for their work on
4 this. I won't take further time on that.

5 But from my opinion, the main reason why I
6 worked so hard to seek a seat on this Council under
7 the purview of public-at-large is because of a
8 longstanding frustration that I have with the
9 interest-group-driven nature of involvement in the
10 public processes for our land management.

11 I felt that at times if you are not part of a
12 large group, if you are not part of a club or some
13 politically participatory advocacy organization, you
14 are a nobody. I am -- actually, Friends of Jawbone is
15 the only group that I belong to in the areas of
16 recreation on public lands. I'm a lone wolf
17 essentially. And that's how I travel in the back
18 country as well, for better or worse, against many
19 common sense guidelines that you don't travel alone.
20 But many of the things I have seen, places I have
21 gone, and things I have done couldn't have been done
22 with a group of people with me.

23 And I believe that the ability to have
24 solitary experiences in places that can test your
25 fortitude, resourcefulness are some of the best

1 opportunities that I have had in the back country.
2 I'm not saying if I drove my vehicle to the head of
3 Devil's Canyon and took a look down that boulder
4 field, probably I would think twice and turn around
5 and go the other way. But at the same time, I feel
6 that members of the public should have that
7 opportunity.

8 There are places where I'm free to do so.
9 There is one in the Ridgecrest field office that's one
10 of our favorites, the Isham Canyon, and I can tell
11 you, number one, first it's not a Bighorn Sheep
12 frequented area. It's not in the middle of sensitive
13 habitat, so that side of it is off the table in terms
14 of a comparison. But the ruggedness of the trail and
15 the possibility that someone is going to have to go in
16 and rescue someone, that possibility, I believe, is
17 relatively equivalent. And we have that opportunity
18 here, and I think that folks in the southern part of
19 the state should also have that opportunity.

20 I am not advocating that it be open all the
21 time under all circumstances. I think that there are
22 a number of cases here again in the Ridgecrest field
23 office where seasonal activity and seasonal closures
24 have been quite successful. I would like to know that
25 people on their own or in small families or groups of

1 people who aren't part of a larger special interest
2 group would still have an opportunity to enjoy these
3 special areas of back country.

4 And lastly, I would like to remind everyone
5 that this Devil's Canyon is a stone's throw from
6 Highway 8. I mean, there is the roar of traffic, the
7 din of traffic noise through your entire experience
8 there. It's not the most remote place you can visit
9 in the desert, albeit a challenging and potentially
10 troublesome area for those who enter it with their
11 vehicles. But I think we should have that
12 opportunity, and I hope the field office would
13 consider those comments to have some opportunities for
14 members of the general public to enjoy it.

15 Perhaps some of the organizations or
16 associations could put on an event open to the general
17 public to allow them an opportunity to go in under
18 their umbrella. I would like to continue the forward
19 thinking and the cooperative spirit that the groups
20 and the field offices have done in the past couple of
21 months and maybe just tackle this issue for one more
22 time. Thank you very much for the chance to bring
23 this up.

24 CHAIRMAN ACUNA: In a moment we will open it
25 up for public comment to the DAC on the field reports,

1 but my thought here is to close the matter on this
2 particular topic on Devil's Canyon. This is a good
3 example where at a prior meeting we identified an
4 issue. And after that meeting and in this meeting,
5 it's been demonstrated that a solution has come up
6 that is middle of the road that protects endangered
7 species, and at the same time opened up some
8 recreational opportunity, albeit with some conditions.
9 So I would like to congratulate you all for working
10 that out. I think, John, you will have to wait until
11 we get to that area. And it is not always necessarily
12 a 100 percent satisfaction to any particular group,
13 but there was some middle ground here that was
14 reached. So thank you for doing that. You will have
15 an opportunity to talk about that as the public in a
16 moment.

17 Are there any other thoughts? I'm going to
18 move next to you, Meg, because you can ask some
19 questions. Any other thoughts on this before I close
20 this Devil's Canyon issue? Okay. Meg.

21 MEMBER GROSSGLASS: I will be as quick as
22 possible. Mickey, in your Barstow field office report
23 it says that someone is doing a visual resource
24 management inventory?

25 MR. QUILLMAN: That's correct, they are.

1 MEMBER GROSSGLASS: Is that through a NEPA
2 process so I can get noticed on that?

3 MR. QUILLMAN: What happened was the
4 Washington office sent a team out to do visual
5 resource inventory in the Barstow field office. We
6 just received a draft report and where it goes from
7 there, I'm not sure.

8 MEMBER GROSSGLASS: Because that could affect
9 where things are sited, so if you could keep us
10 apprised of that.

11 MR. QUILLMAN: I can do that.

12 MEMBER GROSSGLASS: John Kalish. I was
13 wondering if the Coachella Valley Habitat Conservation
14 Trails Plan includes any OHV trails.

15 MR. KALISH: John Kalish, Palm Springs South
16 Coast field office. Just to clarify your question,
17 the trails plan really involves lands within the
18 national monument. Is that what you are referring
19 to --

20 MEMBER GROSSGLASS: Yes. At one point -- I'm
21 on the Riverside OHV Commission -- we had people come
22 from the Forest Service or National Monument and I
23 know there is five miles of trails or something like
24 that open to OHV, but they are not marked. So I
25 wondered if that was going to happen in this trails

1 plan.

2 MR. KALISH: The answer to that is yes. The
3 trails plan is in the very early stages of
4 development, and those routes that you refer to will
5 be addressed within that plan.

6 MEMBER GROSSGLASS: They go a little bit over
7 BLM and I know the language in that Monument specifies
8 that OHV use can continue because we used that
9 language as a template for the Feinstein language.

10 MR. KALISH: You are correct.

11 MEMBER GROSSGLASS: I think I have one more
12 question for you. Is that wonderful billboard down
13 yet that I get so much grief about? About no OHV use
14 by the CVAG?

15 MR. KALISH: The billboard that you are
16 referring to, there are actually three that are placed
17 in the Coachella Valley. Those billboards were placed
18 there by the Coachella Valley Association of
19 Governments, along with Riverside County and Riverside
20 County Sheriff's Office, and really pertain to the
21 fact that there are no OHV opportunities within the
22 Coachella Valley area of Riverside County. BLM has
23 been a part of that effort. We are a member of the
24 OHV task force, of which all of those agencies are
25 involved in. We are identified on those billboards as

1 a point of contact in order to receive information on
2 available OHV opportunities in the area.

3 We felt all along that we were in a very good
4 position to provide that information just because of
5 the fact that we have for a long time been involved in
6 the management of OHV opportunities and could best
7 really explain what opportunities are available and
8 where people can go, and that's what we have been
9 doing. But it is an inter-agency effort. But
10 presently there are no plans to remove those signs
11 there in Coachella Valley.

12 MEMBER GROSSGLASS: Okay. Thank you. That's
13 all I want to know. I do get more grief over them
14 than you would ever imagine. I didn't mean to put you
15 on the spot.

16 CHAIRMAN ACUNA: Thank you, Meg. So DAC has
17 completed their discussion or questioning of the field
18 office reports. And now we move on to the public
19 discussion or request to talk about the field reports.

20 MR. HALLENBECK: Point of order. You are
21 going off the agenda. Teri is next.

22 CHAIRMAN ACUNA: Oh, you again.

23 DIRECTOR RAML: I highlighted the areas now
24 for public comments, so I will not be asking you for
25 questions on my own volition now.

1 I will start out in the manner that I'm
2 starting, which I have been on the job about three
3 months. And we had an all employee meeting on Monday.
4 And what I said is I really have thoroughly enjoyed my
5 time here, and I have been in the honeymoon phase,
6 meeting the field officer managers, spending time with
7 the state management team, and that's really a very
8 gracious and warm environment because I wasn't getting
9 a whole lot of issues and getting a lot of slack.

10 Well, guess what. That time is coming to an
11 end. And I likened it to the honeymoon is over and
12 now we are in the early stages of our marriage. And I
13 have to clarify, we have not lived together. So this
14 is the early stages of a traditional marriage, which
15 means I am now learning your habits, which is the
16 toothpaste you use and where your smelly socks are.
17 But we are still in love. We are in love. It's all
18 good.

19 So anyway in all seriousness, I am starting
20 to recognize the opportunities and challenges ahead of
21 us. And I look forward to working at both ends of
22 that spectrum where we have tremendous things that we
23 can move forward on in a purely positive arena, and
24 then some of those areas, those knotty problems and
25 issues. And we have plenty that have long history and

1 lingering and maybe there are some ways we can
2 continue to step forward on that.

3 Specifically, the DAC nomination package is
4 in the hands of the Washington office, thank goodness.
5 We hope they will act on it soon so we can begin again
6 for the process for the 2011 DAC.

7 Back to renewable energy for a moment. Jim
8 Abbott, in an effort to kind of continue my education
9 in terms of renewable energy, we spent a week, called
10 it the renewable energy roundup. And Jim, our acting
11 state director and deputy state director Tom Pogacnik
12 and a couple of his land specialists came down to
13 Riverside and spent a week. And everyone in the field
14 offices came in and we went through all the
15 applications we have for solar and wind projects. It
16 was an excellent learning opportunity for everybody
17 involved. We got a good look at the work load ahead
18 of us, and we got a good discussion on our approach to
19 applications. And so I think we are feeling pretty
20 good about how we are going to proceed as we proceed
21 down the path.

22 Along the litigation front, we recently had
23 an IBLA ruling on two routes in the Rands Mountain
24 area. I am just at a very general level familiar with
25 this. The news is that we will be closing those two

1 routes on Monday, and we will be awaiting the final
2 decision by the federal courts. And IBLA ruling is
3 available. And I would like to think Ed -- I would
4 think that those of you would be aware of that IBLA
5 ruling and the Court's decision.

6 I'm going to turn to Al. I hope you are not
7 surprised that you will do a real brief update on WEMO
8 for us.

9 MR. STEIN: Alan Stein, deputy district
10 manager for resources, California Desert District.

11 As many of you probably know, the Bureau and
12 the Fish and Wildlife Service were sued on the West
13 Mojave Plan for a variety of reasons. The judge came
14 out with an order in September, the end of September
15 of 2009. That order upheld the Biological Opinion on
16 the West Mojave Plan, which essentially said that
17 everything relative to threatened and endangered
18 species was okay and sufficient relative to that.
19 That's the way we interpreted the order.

20 But there were a number of other shortcomings
21 in the analysis and in the plan that the judge
22 identified. As a result of that order, we entered
23 into settlement negotiations with the environmental
24 groups. We have intervenors that are a number of the
25 off-highway vehicle interest groups. And the counties

1 are intervenors in that lawsuit. They entered into
2 the settlement negotiations with us.

3 Those settlement negotiations failed. So we
4 did begin a briefing for the courts. The plaintiffs
5 filed a brief and a number of declarations, quite a
6 few declarations by individuals to support the brief.
7 And the Bureau just Friday, just yesterday, filed our
8 declarations and our brief to the court. Following
9 that, the counties and the off-highway vehicle
10 interest groups filed their briefs -- they're
11 scheduled to file their briefs on July 2. And at the
12 end of July, July 29th or 30th -- I can't remember
13 which -- the plaintiffs are scheduled to file their
14 reply brief to the previous briefs. And after that,
15 it goes to the court. And that's basically where we
16 are at this point.

17 DIRECTOR RAML: Thank you, Al. I will close
18 with just a comment on America's Great Outdoors and
19 maybe on the initiatives to kind of capture the
20 public's imagination when it comes to youth and
21 outdoors. It's an area I have a personal interest in,
22 and it remains interesting to watch us grapple with
23 how we can capture the public's imagination.

24 The BLM's last program was Take It Outside,
25 and that program, you know, was the same thing, the

1 recognition that we have tremendous opportunities to
2 improve the health and just emotional health, physical
3 health of students by getting them involved in outdoor
4 activities. So that was Take It Outside.

5 The phrasing was kind of humorous for a lot
6 of people because those of us of a certain age group,
7 that's what your parents said to you when you were
8 inside. So maybe that was a good thing: Take it
9 outside or I'm going to turn around and whack you. So
10 now where we are at is we have the First Lady's
11 initiative, which is really dealing with childhood
12 obesity and seeing if there are opportunities to enjoy
13 the sites while increasing the physical activity of
14 children. At the same time, we recognize with the
15 Federal and State and National Parks, Forest Service,
16 BLM-managed lands, there is a tremendous opportunity
17 for people engaged in outside activities for their
18 health, everything associated with health, mental,
19 emotional, spiritual.

20 So the challenge now is we, at the highest
21 levels -- that's where America's Great Outdoors is
22 kind of being discussed. And I think what they are
23 still trying to do is to find the framework to bring
24 all our federal agencies together, including some
25 unusual agencies -- Environmental Protection Agencies,

1 other players -- to get everybody involved in
2 recognizing how America's Great Outdoors can play a
3 role with youth.

4 So the last next thing forward on this
5 nationally led initiative is there will be a meeting
6 July 8 somewhere in L.A. -- I'm not sure where in
7 L.A. -- but it's going to be hosted by EPA. And so we
8 will be a player. At some level BLM is going to be
9 involved in that, but that's the next step on that
10 particular initiative.

11 So it is unusual, but L.A., because they are
12 trying to get to youth, they are trying to capture
13 that opportunity in a big way. So it's going to be in
14 L.A., yet out here in the public lands in Ridgecrest
15 we also know where that opportunity is. So I think
16 the challenge is as this rolls down, rolls around, how
17 we can continue to kind of capitalize on something
18 going on nationally because there is no doubt at the
19 field office level, where the rubber meets the road,
20 they are all involved in some form of working with
21 volunteers, working with youth. So we are doing a lot
22 of programs at our level that meets that need, but
23 they are not packaged as America's Great Outdoors.

24 So the magic is making those nationally led
25 and nationally advertised and nationally packaged

1 opportunities match and provide capacity at the field
2 office so we can make these two things meet. But I
3 appreciate the folks here in the audience that have
4 mentioned recreation. It's a big, important part of
5 the BLM's mission. We will just keep working on it.
6 And I think that's it.

7 CHAIRMAN ACUNA: Okay, Teri, very good.
8 Good stuff. We are ahead of schedule here. And I
9 want to lay out a game plan, because we are going to
10 break here in just a moment.

11 The public comment period for items on the
12 District Manager reports, what I would like to see
13 before we come back to the meeting is please do one of
14 these specific requests and we will hear your comments
15 on that. Now, when we start, when we come back I'm
16 going to start off with Randy. Randy has a letter he
17 would like to read to the DAC on behalf of a
18 constituent. Following Randy will be others from the
19 public who will make their comments on the field
20 reports. So it's currently -- it's 9:50. I expect
21 everybody to be back here at 10:05. We will start
22 promptly.

23 (Morning break was taken from 9:50 to 10:08 a.m.)

24 CHAIRMAN ACUNA: Let's start. We are going
25 to do public comment on the field office reports. We

1 are going to start off with Randy Banis, vice chair.
2 He is going to share a letter from a constituent.

3 MEMBER BANIS: Thank you. The letter is from
4 Richard Jackson, President, San Diego 4-Wheelers.

5 "Ladies and gentlemen, members of the
6 Council: I apologize for not being present at this
7 very important meeting of the Council. Mr. Randy
8 Banis has graciously agreed to read my comments for
9 the record. For the last few years the off-road
10 community has worked hand in hand with the BLM in an
11 attempt to resolve access issues in regards to Devil's
12 Canyon. It appears that those efforts are paying off.
13 The BLM is moving forward with a trial program to
14 allow limited use of Devil's Canyon. It is a plan
15 that should allow controlled access to the Canyon for
16 motorized recreation while preserving and protecting
17 the Canyon's environment. While implementation of the
18 plan will present challenges, it's a giant step
19 forward. This plan cracks open the door to a new
20 world of possibilities when opposing views work
21 together in a spirit of friendliness and cooperation.

22 "On behalf of the San Diego 4-Wheelers I
23 would like to thank the Council, John Stewart, the
24 BLM, and especially the staff of the BLM's El Centro
25 field office. This is not the first time that the

1 staff of the El Centro field office has shown forward
2 thinking on problems in their jurisdiction.

3 "I can only hope that as this plan is
4 implemented, it becomes a model for other areas in our
5 great nation. So much can be accomplished with good
6 will and cooperation. Once again, on behalf of the
7 San Diego 4-Wheelers, and all of the off-road
8 community, thank you to the Council and the BLM.
9 Richard Jackson, President, San Diego 4-Wheelers."

10 Thank you, Mr. Chairman.

11 CHAIRMAN ACUNA: Very good. Okay. So the
12 people that have submitted a request are now going to
13 be allowed to provide their comments on the DAC
14 reports.

15 MEMBER GUNN: Just one thing. I wanted to
16 comment on what Randy just said. Like I said earlier,
17 I don't think limited use to be harmful to the Desert
18 Bighorn Sheep, but those in the area are endangered.
19 They are called Peninsular Bighorn Sheep rather than
20 the Nelson Bighorn Sheep, and that's why some care
21 should be taken in the off-road use of that area.

22 CHAIRMAN ACUNA: Very good. Okay. The
23 first person I'm going to call upon -- and I can't
24 quite read it clearly so forgive me if I mispronounce
25 your name. I believe it's David A. Matthews.

1 MR. MATTHEWS: I can't even print anymore.
2 I'm sorry. As soon as you said, "I can't read it," I
3 knew who it was.

4 Dave Matthews, Ridgecrest, member of the
5 general public. Thank you, Mr. Banis, for
6 representing us lone wolves out here and everywhere
7 else.

8 This Devil's Canyon discussion peaked my
9 interest quite a bit because it was just recently that
10 I had been looking at a Google map or something of
11 Interstate 8 in the Southern California desert area.
12 And I noticed some of the old roads that used to exist
13 before they created it and a four-lane went in. And I
14 think this was one of the sections I was looking at,
15 not realizing I could not get in there with an
16 ordinary highway vehicle. So I was planning on one of
17 these days maybe being able to go down and tour this
18 area.

19 But I would still like to be able to get in
20 there and look at it, what little I could look at at
21 this point, and I would just like to point out, the
22 fact that there are Bighorn Sheep in there now is only
23 due to the fact that man abandoned it whenever they
24 put the four-lane in. So if it's really that close to
25 the existing highway, that just indicates the tenacity

1 of the Bighorn Sheep.

2 So I think this is an ideal situation where
3 just you have a compromise which should be made,
4 because it was provided to the Bighorn Sheep by man
5 himself.

6 And I guess -- oh, I would just like to
7 comment on the way the agenda is running here with the
8 field manager's report. It's the first time I have
9 been to a meeting in two or three sessions, and it has
10 changed. I know the field manager's reports were on
11 line and available. However, I did not get a chance
12 to read them or look at them or even download them.
13 So I was expecting to hear the field manager's reports
14 as usual. So I have no idea at this point in time
15 what was noted. And thank you.

16 CHAIRMAN ACUNA: Thank you, Dave. The next
17 person I'm going to call upon here is Mark Algazy.
18 Did I pronounce that correctly? Friends of Jawbone.

19 MR. ALGAZY: Algazy.

20 MEMBER HOLLIDAY: One quick comment. The
21 last gentleman mentioned that we weren't having the
22 field manager's reports that we had years ago. But
23 those field managers reports are available on line
24 prior to the meeting if somebody wants to take a look
25 at those. What we have tried to do is set up --

1 making those public available before the meeting. And
2 that way we didn't just have the managers reading them
3 out here to us. And it would give a little more
4 comment on them.

5 CHAIRMAN ACUNA: Yes. I would also add, we
6 had a full agenda. We have a big topic to go over,
7 and I would like to hear the reports myself, but I
8 think to be expeditious, we changed a little bit.
9 Okay.

10 MEMBER BANIS: May I ask that you swear this
11 witness in?

12 CHAIRMAN ACUNA: Mark, please be seated.

13 MR. ALGAZY: I just wanted to say very
14 briefly, I'm really excited to hear that the America's
15 Great Outdoors is on the DAC's radar and I hope that
16 it stays on the DAC's radar because I am a product of
17 the previous initiative in that forum. Most of the
18 people on the DAC and most of the people in the
19 audience do represent special interests of one sort or
20 the other. And I was just an ordinary child from the
21 inner city that was exposed to one of those programs
22 in the '70s and joined the Conservation Corps as a
23 result of that, and it was a life-changing experience.
24 And I'm really glad to know that something like that
25 is on the DAC's radar, and I hope it stays there.

1 That's all I wanted to say.

2 CHAIRMAN ACUNA: Very good, Mark. We
3 appreciated your comments yesterday in the field.
4 That is it for those.

5 MR. WALDHEIM: Mine is a blanket for
6 everything.

7 CHAIRMAN ACUNA: Can you use a variance?

8 MR. WALDHEIM: I always have in the past.

9 CHAIRMAN ACUNA: I like paper. All right.
10 That's fine. Ed, why don't we start with you and
11 conclude with John.

12 MR. WALDHEIM: I have also had the
13 opportunity to talk several times. Ed Waldheim --
14 sorry about that.

15 Needless to say, I'm an Optimist. I am a
16 lieutenant governor for the Optimist Clubs in Kern
17 County. It's very hard to stay as an optimist and not
18 get emotional with the stuff on R-5 and R-50. It's a
19 travesty what's happening in here. We complied with
20 everything. It took us six years to put a fence on
21 both sides of the road. There is no off-road travel.
22 It's a road, and Tom, this is the same thing if you
23 put a Caltrans right-of-way and all of a sudden the
24 courts come and tell you, you can't do it. Sorry
25 about it.

1 They were on the main channel, and yet the
2 courts are deciding, no, it's not good enough. It's a
3 travesty, it's thievery, it's terrible, and I hope,
4 Teri, that you guys will continue to fight. I know
5 you will fight. It's a mockery of the system if we
6 don't do something about it.

7 Having said that, on the reports, two of the
8 reports I did not get them, the e-mails, and that was
9 field managers from Barstow BLM field office and then
10 your report from the state office was not on the
11 e-mail that we got. I got them this morning in here,
12 so we need to make sure that they are fully complete
13 and on there.

14 As I reported before, the State of California
15 for this grant cycle, 4.2 million dollars allocated to
16 the CDD when you include El Mirage and Jawbone. It
17 brings us up to 6.5 million dollars. I would like to
18 see on the reports in the future that there will be a
19 dedicated section from each field office on the OHV
20 program. We have contributed over 100 million dollars
21 to the California Desert and the BLM, so I think we
22 are a big player, a major player in helping to provide
23 the recreational opportunities. And therefore, I
24 think it needs a little bit higher interest.

25 I would like to also see that the managers

1 put on there what did you do last year with your grant
2 money, put down the amount of money and what you have
3 accomplished. I think we need to elevate our
4 recreational input in there not only from yes, we need
5 it, but we are putting in hard dollars. But people
6 somehow seem to forget, and it's starting to bug me.
7 And Teri sometime, if we can have a meeting, get
8 Daphne Greene to come down and start focusing, where
9 are you going, where do you need my help from Daphne
10 Greene's point of view? Where does she want to go?
11 She is very frustrated with all this money going out,
12 and she doesn't seem to feel we are really getting our
13 money's worth.

14 That's one of the reasons I'm devoting so
15 much time in the Jawbone district to prove we can
16 manage the public lands for the recreational
17 opportunities.

18 On the reports, just briefly I notice that
19 the Palm Springs office, Craig Hill is the planning
20 manager for the Coast Resource Management Plan, RMP.
21 I can't be everywhere, but I was surprised that Los
22 Angeles County is part of it. But I haven't seen the
23 Los Angeles County Board of Supervisors even reporting
24 on it. So we need to find out who do they really use
25 on this plan, because we have Robert Edelman is the

1 one who deals with us constantly on issues for
2 recreation. I haven't seen that.

3 On the Needles report they say that the plans
4 are coming to an end on the Ivanpah Solar Power, but I
5 went to the original meeting of that, but I have lost
6 track of it. Did we save the trails that were
7 promised? Needles office, Stirling was at the time
8 represented there. And they had promised us that we
9 will have those rights-of-way or those trails that
10 were being impacted by that project that would take
11 place.

12 The last one I just looked at this morning,
13 the field manager's report from Barstow's BLM office.
14 It's very -- I know why they were so short because
15 Roxie has her hands full. But I would like to let you
16 know we have two grants up there that need a little
17 bit more attention. And with West Mojave signing, we
18 were having an auger truck delivered, and they are
19 going to start doing a full-time, nothing but signing
20 crew on the auger truck, part of the Friends of El
21 Mirage. We put 175 double truckloads of -- No. 2 of
22 base on a road going up there. It's mind boggling.
23 We have 32 campsites up there all paid for with RTP
24 money that the Friends of El Mirage have been able to
25 get in there.

1 And the last thing in here, even though Roxie
2 put all the grants in there, which is cool, again, as
3 I said before, we need to see what did we do last
4 year? How far are we going?

5 The last thing is the El Mirage subgroup. It
6 says a due date of June 15th. I respectfully request
7 that that be extended. They just released it a week
8 ago. I haven't even filled out the application. So
9 it's already past June 15. So I'm out of luck. That
10 date is -- I don't know where that came from. That
11 date needs to be extended, and Razo can take care of
12 that at least to July 15 so the public really knows --
13 the public doesn't know that this is open for the
14 nomination for the subgroup for El Mirage. So we need
15 to get that extended. 15th is way too early.

16 CHAIRMAN ACUNA: Thank you, Ed. John
17 Stewart, please. Three minutes.

18 MR. STEWART: John Stewart, California
19 Association of Four-Wheel Drive Clubs. I would like
20 to take exception to something the Chair mentioned
21 earlier in reference to Devil's Canyon. I do not
22 consider this matter closed. And I do not consider it
23 closed until such time as a final decision has been
24 signed, of which I have not seen a final decision
25 signed, so that it's still an open topic.

1 And I thank the BLM and El Centro field
2 office for their willingness to work to resolve the
3 issue, and it's been a long time coming. The
4 recreation community, I have had close conversations
5 with Richard Jackson. We are comfortable that we are
6 probably 98 percent there. There are a few mechanics
7 of the permit yet to be worked out. Some of the
8 comments I heard, while close, there were some points
9 of accuracy that I would like the record to reflect.

10 First off, the comment, how did this fall off
11 the table during the WECO? Well, the upper portion of
12 Devil's Canyon was designated and the lower portion
13 was designated, and there was a part in the center
14 that was not. Due to the way the information was
15 presented to the public, it was assumed that the
16 entire trail was open because it was provided in
17 numbers in a table, not in a map format.

18 So I would encourage the BLM to as we move
19 forward, take advantage of the GIS technology and
20 let's start showing the members of the public what
21 routes are being considered to be opened or closed in
22 a much more viewer friendly or user friendly manner.

23 Critical habitat for Bighorn Sheep: Yes,
24 it's within that, but not specifically within dead
25 center of critical habitat. It's on the periphery.

1 And there are other BLM routes in this area that are
2 open outside of the lambing season. So the recreation
3 community says we are willing to work and accept
4 access to this route in seasonal usage consistent with
5 the surrounding area.

6 The canyon -- the canyon, it's steep. You
7 may have 100-foot vertical distance of which -- or
8 horizontal distance, of which you will have a 150- to
9 200-foot vertical rise. So as far as that, it's not
10 flat graze lands for sheep, and it's transition
11 habitat area, so the impact on the Bighorn Sheep --
12 and I think the Fish and Wildlife opinion points out
13 that yes, it can be done with minimal impact. It's
14 consistent with other uses in the area.

15 And lastly an event. I keep hearing the word
16 "event" used. I want to underscore an event,
17 according to the agency's own definition, is where
18 money is put up in order to participate in an
19 activity. That is money that is derived from activity
20 conducted on federal lands. When you have a purely
21 recreational event or a recreational month where a
22 group of people get together and have fun, that's not
23 an event. It's not an event according to the agency's
24 definitions. While the term may be used, it's not an
25 event according to the definition. Therefore, it

1 should not be subjected to the same kind of
2 requirements that an event where money has changed
3 hands, where that activity derives a funding from the
4 use of public lands. This is people paying nothing to
5 go out and have fun.

6 And this is something that I think is very
7 critical. When the agency moves forward and when the
8 DAC moves forward with looking at recreational issues,
9 they have to keep in mind that it is not events, per
10 se, that a majority of the people -- events with an
11 exchange of money. But it's events of family having
12 fun looking for relaxation, looking for recreational
13 opportunity. And not to say that there are not pure
14 events such as races and other activities where money
15 is changed hands. And yes, by all means, where
16 somebody is about going to derive a profit from the
17 use of public lands, yes, charge them a fee. Put
18 restrictions on them and a fee.

19 But when that is just members of the public
20 out having fun and wanting to have a recreational
21 opportunity, those should not be subject to fees. And
22 that's where we have come to the conclusion, working
23 with the BLM staff, is yes, they waived the
24 requirement for the insurance and the ambulance on
25 this. We recognize that it is a challenge opportunity

1 and something that the recreation community in the
2 area needs. And we are grateful for the cooperation
3 we received from BLM in order to come to resolution.
4 So thank you.

5 CHAIRMAN ACUNA: Very good, John. Thank
6 you. We have one more request to speak and that's
7 Will Liebscher. Could you please step forward and
8 state your comment.

9 MR. LIEBSCHER: My name is Will Liebscher. I
10 live in San Bernardino County, Red Mountain. I'm just
11 here as a member of the public.

12 As we all know, this desert has always
13 supported the military. We are -- we have military
14 bases all around us. This town became a town because
15 of China Lake. And I know that -- I would like to see
16 some discussion between the military and the renewable
17 energy people. I was looking through the "Rocketeer,"
18 which is the Naval Weapons Station newsletter last
19 night, and I didn't see any solicitation or
20 advertising or anything to let any of the military
21 know that this meeting was happening. Apparently we
22 have no representation from the military here specific
23 to China Lake or any of the other bases.

24 Our use of this desert for the military began
25 with Patton in World War II, and the desert has

1 developed since then because of that in some part.
2 And even now in Twentynine Palms, they want to use
3 more of our desert, which kind of infringes on the
4 other uses of the desert, specific also to renewable
5 energy, for practice against -- practice for the
6 desert in Iraq and Afghanistan. And the use of our
7 military here in China Lake is developing specific to
8 that in EOD and IED information and training and so
9 forth for our guys going over there.

10 And I would like to see more representation
11 with the Advisory Council and maybe even appoint a
12 Council member from the military to represent the
13 military for their use in the desert. From one end to
14 the other they use this, and they have a lot of
15 feedback.

16 The other thing I wanted to say was to
17 Representative Mitzelfelt. I'm from San Bernardino
18 County. We are kind of in the middle -- in Red
19 Mountain we are in the middle of a lot of activity in
20 this area because we have a gas station and food
21 there. We see a lot of people. I wish that we could
22 be a little more represented or help us a little bit
23 from your office with representation at least at some
24 of the meetings, such as Friends of Jawbone.

25 We are right on the edge of the county, a

1 quarter of a mile east of Kern County and half a mile
2 south of Kern County. I probably own the
3 second-to-the-last house in your county. And we need
4 a little help with our infrastructure there. We have
5 an empty fire station, which could help for health and
6 safety in the area. We could use -- we have the
7 digital 395 going through, and we could use a branch
8 off that for communications and security, access to
9 the Internet, in other words. And I would just like
10 to see a little representation from San Bernardino
11 County into Kern County, maybe to Friends of Jawbone
12 meetings. And I'm surprised to see you here in Kern
13 County today. That's all I have to say. Thank you.

14 CHAIRMAN ACUNA: Very good, Will. Thank you
15 very much.

16 For the DAC, are there any comments to the
17 comments from the public that you would like to share
18 with us? Okay. All right.

19 So we are going to close this period now and
20 we are going to go on to the next part of our agenda.
21 We are doing well in terms of time. It's currently
22 10:30, and we are at an 11 o'clock item. So that's my
23 job.

24 And I'm going to share with you a bold idea,
25 and I would like everyone to listen very carefully,

1 especially the DAC because what I am going to do is
2 identify a process. Meg, I want everybody's attention
3 on this because I don't want to repeat it and I want
4 everybody to listen carefully because I'm going to try
5 to answer as many questions as I can. And then we
6 will open it up for some discussion. I will ask Teri
7 to support where we are going on this new initiative.

8 Let's call it a pilot program and here is the
9 history of why we are doing this. In the past, what
10 the DAC looked at was recreational issues, grazing
11 issues, etc. In the past three or four years we have
12 had an influx of renewable projects requesting
13 thousands and thousands of acres to be locked up for
14 renewable interests.

15 Candidly, the DAC has not regularly commented
16 on these projects with a recommendation to the BLM.
17 And it's become clear that we need to provide more
18 comment on renewable projects. So the idea here is,
19 No. 1 -- the goal is this: I would like to see the
20 DAC, and I think the BLM supports this, respond on
21 every renewable application for renewable generation
22 on public lands with an official recommendation for
23 that project.

24 Now, the problem is this: There are
25 currently 155 or so applications. We meet four times

1 a year. We meet in a meeting that is, what, eight
2 hours long? And we simply don't have the time or
3 resources to look at all of those projects in great
4 detail. So one would say you have the NEPA process,
5 you can look it up. You can figure it all out. Let
6 that process take care of it. The reality is that
7 process is difficult to weed through. It's a
8 monumental undertaking to understand what goes on with
9 a project. So here is the proposal.

10 We are looking at focusing on only the key
11 projects that are being fast-tracked for the next
12 meeting. We will work our way through the renewable
13 applications, and we will do the best we can here at
14 the DAC. And here is how the process would go. This
15 is the work plan.

16 The work plan -- and I'm going to ask for
17 volunteers before the next meeting -- the work plan is
18 this. I will ask Steve Razo to identify the key
19 renewable projects that need to be looked at. Right
20 now I understand there are 13. I would like to have
21 an assigned Council person evaluate, analyze that
22 project, and make a report at the next meeting.

23 Now, let me walk you through how that would
24 work. You might spend an extra day of your time
25 visiting the site. You would coordinate with the

1 Bureau's project manager, arrive at their office, ask
2 the questions, visit the site, and develop a short
3 report.

4 Now, you would be utilizing a checklist, an
5 abbreviated checklist, not the entirety, but the
6 checklist, which is 18 to 20 different issues that you
7 would resolve or the CEQA checklist, which is the
8 state's equivalent. What you would do is you would
9 try to answer the key questions and you would bring
10 that information back. That's factual. It's not an
11 opinionated thing. It's factual. That's what we want
12 to hear.

13 Now, you could also -- this would be the DAC
14 members -- represent an opinion, and that's all it is.
15 You are entitled to an opinion as to what you saw,
16 what you think is going right, what you think is going
17 wrong. And what you think should be changed about the
18 project. We, the DAC, would listen to the report and,
19 for example, someone might forget about recreation,
20 but I can assure you there are people on this DAC that
21 would say, let's talk a little bit more about the
22 recreation and understand the impacts to recreation.
23 Collectively, what we would do is we would provide
24 Teri and her staff a recommendation. That's all it is
25 is a recommendation of what we think should be done.

1 The total report would last 30 minutes. That
2 would be roughly ten minutes for the DAC member to
3 make a presentation, 15 minutes for the DAC to
4 consider and ponder the issues, and 5 minutes to wrap
5 it up with an overall recommendation for the record.
6 That would mean that if we evaluated at the next
7 meeting four projects, it would take us two hours.
8 That is the time commitment for the next meeting for
9 this.

10 Now, there are some logistical issues here.
11 I have spoken with Teri. We think if the Desert
12 Council person develops a work plan as I have
13 outlined, you would be reimbursed per diem for miles
14 and lodging to carry out your mission. Now, here is a
15 con. Here is something that people might not feel
16 comfortable about this. The first is that the DAC
17 person may actually have a leaning towards favoring
18 environmental protection or recreation or renewable
19 interest, and the concern might be is that that they
20 might take their report and actually convince the DAC
21 to go in their direction. I don't think that's going
22 to be an issue, but I want you to know that that's a
23 concern of folks that that could happen.

24 The second thing is when people signed up to
25 be on the DAC, it was a two-day commitment, not a

1 three-day commitment. And this is a potential
2 additional time demand on the DAC. And that's why I
3 say, this pilot program is voluntary. You don't have
4 to do this. If you would like to participate,
5 wonderful, but in the future if this gets off the
6 ground and it works, then what I would request through
7 Steve and Teri is that when we look for new DAC
8 members, they understand that there is an increased
9 time commitment to being a DAC member. There is a
10 greater responsibility.

11 Third, the checklist, one could say there
12 should be 100 questions or there should be more
13 comprehensive review. The key here is to move
14 quickly, to hit the 10 big questions. And so what I
15 would suggest prior to the next meeting, I will
16 circulate with Steve Razo's help the existing
17 checklist that we worked with yesterday, and that we
18 modify it to reflect what the DAC wants for questions
19 on the checklist.

20 I also think it's a part that we build in an
21 example so that each DAC member when they get to a
22 visual concern, let's say they arrive at a site and
23 there is visual concerns, how do you rate that? Well,
24 I would ask, like John Kalish explained to me, that
25 there is a clear process on how you weight and rate

1 those visual concerns. So the checklist, we will work
2 on as a team with the BLM's help so that the DAC
3 members understand what is being asked of them when
4 they ask the question and what kind of response they
5 should get and report on.

6 And I think that's the third one. That is it
7 in my outline. I would like to ask Teri to provide
8 her comments. I would also say this: This idea was
9 not developed in a vacuum last night. I thank Randy
10 Banis, Steve Razo, David Briery and Teri. And Teri
11 brought forth, look, what can we do here at the DAC to
12 improve our review of projects more comprehensively?
13 And we had I think maybe four meetings, and Steve took
14 copious notes and we scratched this plan out and we
15 tested it yesterday with the checklist.

16 And the rollout was my job. I just did that
17 on how it would work. After Teri makes her comments,
18 I would like to open it up to the DAC because here is
19 what I am looking for when we are done. I'm looking
20 for their advice on whether we should do this, how we
21 should do this. Do they support this, or support what
22 I suggested here with some modification. So with
23 that, Teri, please.

24 DIRECTOR RAML: Well, let me talk about this.
25 This idea, this process did arrive in my little head

1 after our last meeting in that, really, when you look
2 at one of the key issues, processes facing the Desert
3 District is renewable energy. And I was looking for a
4 way to engage the DAC. And there are a couple of
5 things that I looked at to kind of start this
6 discussion.

7 One is the DAC charter. What does this group
8 of people that gather, what is their role? And I will
9 tell you a little bit is they provide representative
10 citizen counsel and advice to the BLM on planning,
11 management of the public lands resources,
12 implementation of plans regarding management use,
13 development and protection. So the role of this group
14 is to provide us recommendations.

15 The other thing is that the duties of the
16 Council are at the request of the district manager.
17 They will meet to gather and analyze information,
18 conduct studies and field examinations, hear public
19 testimony, ascertain facts in an advisory capacity,
20 develop recommendations for the District Manager. So
21 I thought, okay. This is the group; this is the tasks
22 that are charged.

23 One of the big things we have is renewable
24 energy. The second thing, at the suggestion of Randy,
25 is I took a look at the statement that the DAC had

1 written in 2008 regarding renewable energy. Good
2 stuff. I won't read through that. But project areas,
3 purpose, need, alternatives, human effects analysis.
4 In this case, the DAC provided a paragraph on each of
5 these items that they thought -- a recommendation for
6 Steve to consider as they moved forward.

7 I thought, that's good stuff. Then I
8 thought, now let's see how we can move forward. Now
9 you will get a little bit of my personal philosophy in
10 a way. One is, I am unabashedly a believer in the
11 collective wisdom of informed people. You can't be in
12 the public land management business for as long as
13 I've been and be interested in this sort of job
14 without knowing that when people get together and are
15 informed, that there is incredible wisdom and capacity
16 there. It's funny to say sometimes, but I really do
17 believe that. And I am sincere. So sometimes when
18 things don't seem to be going right, I'm looking for
19 what piece is missing. And it's not usually-- it's
20 usually -- it's process stuff. It's not the lack of
21 wisdom when you bring people together. I don't think
22 that's the issue.

23 So the other thing is, I have a firm belief
24 that the staff and their role and the representative
25 interests and the nomination process, I mean this is

1 serious. You are nominated because of your
2 experience, your expertise, you are endorsed by your
3 colleagues, you are approved by the Secretary of
4 Interior. This is important stuff. So if I believe
5 in the collective wisdom of informed people and I have
6 folks like you tasked with this task, that's why I was
7 thinking it would be important for us to engage in
8 renewable energy.

9 From my perspective, we are down this path on
10 renewable energy in the early stages of development on
11 public land. We are at the outset of this. And I
12 think there is a lot of people who would have liked to
13 have seen the approach different. Maybe a landscape
14 level approach first. Maybe identifying the zones
15 first. Maybe a competitive leasing process. There is
16 a lot of ways that people would like to say, here is
17 the desert, here is renewable energy, here is the
18 things we care about, how could we do this
19 differently?

20 Well, that's not where we were at. We are
21 looking at applications, and the first steps of
22 implementation of renewable energy in the Desert
23 District is going to be an applicant-led process and
24 project-by-project identification. So when you kind
25 of think, why are we looking at this specific project?

1 Because that's where we are starting. So in this
2 case, that's one of the reasons. It starts for us at
3 a project specific level.

4 And there are other arenas and other forums
5 where these policy discussions, landscape level use
6 are occurring and can occur and should occur by all of
7 you. But at least, as Tom said, this is a pilot
8 project. And let's see at the project specific level
9 where we can gain some collective wisdom.

10 The DAC members and the BLM employees that
11 work in the Desert District are probably going to
12 learn this at the same time. I am painfully
13 collaborative, and I'm also pretty darned open-ended.
14 So I don't have a specific outcome in this case. I
15 didn't say to Randy and Tom, I want you to develop a
16 checklist and I want you to look at every project and
17 I want you to come back and give us a recommendation.
18 That's not my approach to a group of people like this,
19 and that's generally not my approach at the District
20 Manager level. That's probably not what I have been
21 hired to do is to give people tasks.

22 So what I am conscious of, what I would like
23 to do is help us formulate what can we learn that will
24 be of value as we proceed from this analysis of
25 individual projects? How can we utilize the

1 information that we gather and wisdom we gain to
2 continue our processes, to continue to keep our
3 commitment to the public for their involvement in
4 these processes, and ultimately for the good
5 implementation of these decisions and these projects.

6 So how can we do that? The other thing is --
7 and this is a little bit -- how can we utilize this
8 information and wisdom in other forums? And that's
9 the forum that I have to continue to influence policy
10 and processes through internal communication and also
11 the forums that all of you as representative citizen
12 interests have in the groups you work with and the
13 groups you influence.

14 A couple of comments to make sure what we
15 want to recognize is the decisions -- this is not
16 asking the DAC to try to influence the decision, per
17 se. The decision is the NEPA process, and that's a
18 process where we have public involvement period. That
19 part of the process, you can influence that certainly
20 through that avenue. This is something a little
21 different. So that's something we are going to have
22 to be conscious of; that it's not necessarily the
23 selection of an alternative in the process, in a
24 specific project. That's not what I'm looking for,
25 but on the other hand, if I get that we will use that.

1 But there were prescribed public processes where that
2 impact happens: The scoping report, the comment on
3 draft, all that sort of stuff.

4 The other is the time commitment. And Tom
5 did a very good job of outlining the time commitment.
6 I'm very concerned about your -- I know that I'm
7 asking -- that this could involve more time than you
8 had anticipated. So my gauge is how much time you
9 have available to put into this. And I don't think I
10 have anything else to add except my thanks to Tom and
11 Randy and Steve and Dave, because this is little
12 bit -- it's an onerous task. It's a big job, and I'm
13 happy to have your interest in pursuing it. And let's
14 see where we go.

15 CHAIRMAN ACUNA: Okay. I'm going to open it
16 up. But before I do, I want to say, look, in the real
17 world, perfection takes time. We don't have time, not
18 with these projects in the middle where we are at to
19 spend that time with perfection. But I hear what the
20 folks in the public are saying. You are ignoring my
21 interests and the projects are proceeding forward.
22 This is an opportunity to add another bite at the
23 apple. It's not in the NEPA process, but at the DAC
24 level. And this is a chance for the DAC to give their
25 gut feeling. And I think Teri is open to our ideas.

1 And maybe we can help influence an outcome on the uses
2 of lands in the desert. So with that, I would like to
3 open it up and start with Brad. He has some comments.

4 MR. MITZELFELT: Well, I believe that in El
5 Centro, Gerry Hillier brought this up. And I thought
6 we decided we weren't going to do this. But it was a
7 kind of consensus. I think there was a vote on it.
8 In this case, Teri is the boss and so apparently she
9 gave it a lot of thought, and we have come back and we
10 have changed direction, from what I see.

11 And I'm a little bit apprehensive as to how
12 it's going to work, particularly for me, because I
13 guess we all are one and the same; the organization
14 that I come from, representing the people directly. I
15 don't know. It will be interesting if I can find a
16 way to participate that's appropriate.

17 But anyway, I would like to just compliment
18 the effort here. I think it really shows that the
19 District Manager takes this group very seriously, and
20 that's gratifying. I think this could be very
21 meaningful. And I think it's going to be a big
22 challenge. But, wow, I'm just really surprised. So I
23 will follow the lead and see if I can be helpful in
24 any way, but I think it's really amazing.

25 CHAIRMAN ACUNA: Thank you, Brad. I'm

1 sorry, we didn't have a chance to brief you. It's a
2 big surprise, but over the past few days we have been
3 talking with individual members, sharing this idea.
4 And anyway, sorry about that. I appreciate your
5 input. And let's continue with this discussion.
6 Other members of the DAC, please, comment.

7 MEMBER GROSSGLASS: You are looking at me. I
8 do have a comment. I was hoping to not be the next
9 one out.

10 MEMBER RUDNICK: I will go ahead. I just had
11 a quick question, maybe for Teri. What kind of time
12 frame are we looking at from the application date to
13 the decision?

14 DIRECTOR RAML: Application date to decision?
15 Two years? Two years, usually. Oh, let me
16 introduce -- I was going introduce him. This is Greg
17 Miller. He has been before this group before and
18 thank goodness he is also -- he is not surprised, but
19 he is also wondering how this is going to work. He is
20 our point person for renewables in the Desert District

21 MR. MILLER: If I can answer that real quick.
22 Greg Miller, renewable energy program manager for the
23 CDD.

24 It depends on where in the project. Normally
25 two years. We are trying to cram fast track into one

1 year. And it still meets the NEPA guidelines and
2 Energy Commission time lines and NEPA time lines, but
3 it means that we have to respond quicker, have to get
4 the applicant to respond quicker, and move at that
5 point. But for the most part, normally it's a
6 two-year process. But these fast tracks, it's a
7 one-year.

8 MEMBER RUDNICK: Well, you weren't on our
9 field trip yesterday, but most of the projects we
10 looked at yesterday were fast track projects.

11 MR. MILLER: No, I don't think so. Solar
12 Millennium Ridgecrest, that's the only fast track on
13 there. However, the latest is they are not going to
14 make it. The Energy Commission have it rescheduled to
15 be later than December of 2010 for a decision. So
16 they will probably not be making the decision at the
17 end of this year.

18 MEMBER RUDNICK: What qualifies one for fast
19 track or normal track?

20 MR. MILLER: Do you want to go into this now,
21 or do you want to continue with your process
22 discussion and then we can get into this later?

23 CHAIRMAN ACUNA: Richard, can we hold that?

24 MEMBER RUDNICK: Yes, it just popped into my
25 head.

1 CHAIRMAN ACUNA: Don't let us forget it.

2 MR. MILLER: It's an easy one to answer. You
3 guys were on a track. I could be here for hours. And
4 I don't want to be here for hours.

5 CHAIRMAN ACUNA: Let's have Meg, you have a
6 comment.

7 MEMBER GROSSGLASS: I always try to be brief,
8 and I really will try to today. I don't know what the
9 10 questions are. I didn't get them. You guys really
10 can't hear me? I don't know what the 10 questions
11 are.

12 CHAIRMAN ACUNA: Let me answer that really
13 quick.

14 MEMBER GROSSGLASS: The public doesn't know
15 what they are.

16 CHAIRMAN ACUNA: Let me give you the 10
17 questions and I will be fast.

18 First question: What type of renewable energy
19 will occur on the site?

20 Second question: What is the footprint of
21 the project? How many acres of public and private
22 land?

23 Third: Is it near military facilities? If
24 so, will there be impacts to visual or radio
25 communications?

1 Fourth question: How many megawatts will
2 this project generate? How will power be transmitted?

3 Fifth: What types of infrastructure and
4 buildings will be constructed to support the project,
5 transmission lines, roads, substations, et cetera?

6 Sixth: What is the cumulative impact of this
7 project when compared to other renewable projects in
8 the area?

9 Seventh: What current uses or resources
10 occur on the proposed site? And by that, we mean what
11 is happening from a recreational, cultural, and
12 biological aspect? And will these existing uses be
13 impacted or disturbed?

14 Eighth question: Has NEPA, CEQA been
15 followed? What portion of the California Desert
16 Conservation Area Plan is affected by the project?

17 Ninth: What effects occur on threatened and
18 endangered species.

19 And the final question, Tenth: How will the
20 construction phase and daily operations impact the
21 economy of local communities? How many workers will
22 be present during the construction phase? And how
23 many permanent employees for the operations?

24 So those were the 10 questions that we
25 started out with. I have already heard from others in

1 the public and the DAC that they would like to see
2 some modifications to those questions. And the
3 proposal here would be to circulate this list to the
4 DAC and work on improving these questions, deleting,
5 adding, modifying and providing better clarification
6 so that the checklist is useful. Does that help?

7 MEMBER GROSSGLASS: Yeah, that helps. I hate
8 to be the one that throws a wrench into it. I really
9 don't like that idea. I also don't like the idea of
10 adding more work to Greg or anybody else. So let's
11 get that straight. I actually went through and read a
12 good portion of the Stirling Energy EIS -- DEIS. It
13 was that big (indicating). It's a really very, very,
14 confusing document to go through all the alternatives.

15 But when I saw the e-mail go around about the
16 fact that we were going to talk about this on Thursday
17 night and I wasn't there, I only had about ten minutes
18 to think about it. But I guess in my mind you can
19 give us some documents from the DEIS that you guys
20 have already done or you guys do that, contractors do
21 this, that can be probably be e-mailed to us. We can
22 read it, talk about it at a meeting, and then make a
23 decision. And there is no extra work done, so this
24 could be totally off base.

25 But there is a summary of the projects

1 somewhere in all of that crap that I read that
2 answered half those questions. There is a summary.
3 And then there is a summary of project-related impacts
4 here. So this probably answers the rest of those
5 questions. It tells us by environmental parameter
6 what is impacted, how it's impacted, and then it also
7 goes into mitigation impacts and measures. I note
8 somewhere in that document there is probably a table
9 that defines these mitigation measures for certificate
10 of compliance. So that essentially -- doesn't that do
11 all the work for us? Doesn't make Greg's life any
12 more miserable, although he is not shaking his head.
13 And this is all done in the EIS; correct? Nobody does
14 any extra work except someone has to compile that.

15 And we only want the project-related impacts
16 for the preferred alternatives. We don't need to go
17 over 50 million other alternatives. And if that can
18 be e-mailed before we talk about the next four
19 projects, we should be able to read this. This is the
20 easiest part, I swear, and then be able to make an
21 informed decision or at least ask someone saying we
22 don't like biological resources mitigation measure.
23 We think it's too much of an impact and it can't be
24 mitigated. We can ask intelligent, substantive
25 questions, and we can make a better informed decision.

1 Half your checklist is basic information that you can
2 read off the first page in an executive summary of the
3 project. And you guys have already done all that
4 work. I'm done. You are lucky.

5 CHAIRMAN ACUNA: I think you bring up some
6 really good points. It's clearly obvious that all
7 this information is easily obtainable on the Web and
8 by reviewing documents. And I also recognize that you
9 were an expert in doing that, that is your job. What
10 I am looking for -- let's just cut to the chase. I'm
11 looking for some theater. And that theater is for the
12 public. They don't necessarily review all of that.

13 And we want here at the Council to have some
14 theater where a person makes a presentation, a summary
15 so that a person can walk in this room without knowing
16 anything about the project, quickly understand that
17 somebody actually visited the site that's not from the
18 Bureau and gave a DAC opinion of what is occurring.
19 And that the DAC can quickly get to that, ask the
20 questions, and make some sort of recommendation. I
21 think it's actually more work to ask the DAC, each
22 member to look at all those documents and come up with
23 an analysis and decision. This approach is an attempt
24 to streamline the effect of recognizing it's not
25 perfect. So that's my response.

1 MEMBER GROSSGLASS: I have another comment
2 because I see where my plan messes up your plan. But
3 maybe the information that I talked about can be given
4 to the person that -- let's say I take on three
5 projects. Someone gives me the summary, someone gives
6 me the tables, and then I go out on the ground and
7 look at it. And then I can give you that theater to
8 explain to the other DAC members and to the public
9 about it. And the BLM hasn't had to do any extra
10 work. Someone from some environmental company did
11 that.

12 If I have questions, I will ask the BLM. And
13 then I'm assigned to three projects for the next DAC
14 meeting and I give the presentation on them. And this
15 is much more subjective -- there is not a lot of
16 opinion in here. It's not like I'm going to skew this
17 because it's all kind of factual.

18 MEMBER FITZPATRICK: Well, not to disagree
19 with Meg, but for me, if I were to participate, there
20 is only one criteria and that's the visual. In my 12
21 years with government I could read documents until
22 blue in the face, but until I see what the roads are,
23 what the accessibility is for filming or still
24 photography, and what is the visual impact, that's
25 what I have to use. And all this other thing is

1 important. But I also think in my evaluation of it,
2 it also dovetails with the public's recreational
3 pursuit. Just as Teri said, the spiritual renewal
4 quality of being out there in the open spaces without
5 all that in your face. Does that make sense?

6 CHAIRMAN ACUNA: Yes, it does. I would ask
7 April, please.

8 MS. SALL: I agree with several things said,
9 and I would add this: That I think if we don't get to
10 a place where we agree on some appropriate role for
11 the DAC to play in this renewable energy, I think we
12 are really doing a disservice because this is the
13 largest impact to public lands that anybody has ever
14 been faced with. And I think we are charged with
15 addressing this, and this is a lot of work and it's a
16 lot of work for staff. But I think we have to. We
17 were on the DAC at this point in time, so here we are.

18 I would also add there could be kind of a
19 hybrid of what is being talked about in that we could
20 utilize any information that has already been drafted
21 by the BLM and by the consultants and have that
22 information, of course, together. And also do a field
23 visit. Because I agree, you cannot make a very
24 accurate assessment without doing a field visit
25 because -- I'm sure the BLM may not agree publicly

1 here -- but everyone has experienced different
2 qualities of results from consultants in regards to
3 what goes into their initial assessment of a project.

4 So I think some first-hand experience for
5 someone to visit a site and see what the impacts are
6 to recreation, biological resources, conductivity and
7 cultural resources is necessary to be sure that the
8 information on a chart is accurate to the degree
9 possible that a chart can be. So maybe we could
10 utilize the information and the summaries to answer
11 some of the basic questions like the type of
12 technology, how many megawatts, transmission lines,
13 etc, but things like has this technology ever been
14 used on a commercial scale before? What are the
15 habitat conductivity issues, some things not
16 necessarily revealed in the report the field visits
17 can help and the specific questions could help shed
18 light on that. So I have several proposed additional
19 questions or changes to questions. I won't go over
20 this now because I don't think we are going to do
21 that. If we do, I will speak again, I guess.

22 CHAIRMAN ACUNA: Thank you, April. Other
23 members of the DAC, please?

24 MEMBER SCHRIENER: It seems to me that if we
25 have gone through this process, and assuming that one

1 of the fast track project is vetted enough so it's
2 actually got some of the EIS documents available, that
3 the individuals who are most attuned to that
4 information would be the people within the district,
5 the district office where that project is centered.

6 And I agree with Meg, most of that
7 information are in those documents. Those individuals
8 in those districts, the district office manager who
9 comes to the meeting, my belief is they ought to give
10 that brief report to us. They ought to summarize,
11 pull out the two or three pages out of that document
12 that are meaningful -- not a lot of extra work I would
13 hope. Like the one summary that she showed, there
14 should be a map inside there, some brief executive
15 summary, that can all be pulled together, PDF'ed as
16 one document, and sent out to all the members. Their
17 time commitment is to read that before the next
18 meeting. You can send a few pictures of the site with
19 it, Polaroids, put them together so we have some
20 visual, send it to us. We look at it, we comment.

21 What can happen is we should put together a
22 set of questions, as Tom has done, that we feel
23 collectively are most important from our perspective.
24 And maybe that's the focus of what pages out of the
25 document are yarded in. I don't see it as being as

1 meaningful to have an individual DAC member with their
2 particular biases or whatever to go out and visit a
3 site and give a term paper on that at the meeting. I
4 don't see that as being as meaningful an exercise as
5 this perhaps hybrid one that I have suggested.

6 And on top of that, one last comment is that
7 so many of these projects out there are applications.
8 The probability in reality, less than half of them are
9 ever going to happen. And of the less than half that
10 may actually begin to go a little bit further,
11 probably low single digits or low double digits, 11 or
12 12 percent, are really ever going to break ground,
13 really ever going to see anything built.

14 So to spend a lot of effort trying to vet
15 cumulative impacts on applications covering half the
16 state when in reality they are not going to happen,
17 that's just the reality of how these things end up.
18 They are not going to happen.

19 CHAIRMAN ACUNA: Thank you. Tom, please.

20 MR. HALLENBECK: Well, at the risk of being a
21 lone wolf, I disagree with the direction this is
22 going. Teri is the boss, so I will leave it up to her
23 to give us a final direction. But the questions that
24 come to my mind, first, you refer to the 2008 DAC
25 statement and I would like to get a copy of that for

1 future. I think that's a better direction and a more
2 appropriate direction.

3 155 applications, 10 or 12 fast tracks -- we
4 could do this work, but then at the end of the day,
5 what is the value of that recommendation? It doesn't
6 carry as much weight as a Sierra Club, which has
7 expertise in those specific areas, and it will carry
8 the bias of the presenter.

9 It seems to me that you are talking about us
10 getting down into the weeds on individual projects and
11 issues. I don't agree that that's our role. That's
12 more staff work, really. I think we should be looking
13 at the overall issue. There is a huge challenge for
14 BLM. We are talking about hundreds of thousands of
15 acres that are potentially affected and disturbed in
16 the desert. As DAC, I think we should be looking how
17 is BLM situated to handle this influx of work? Do
18 they have the expertise? Do they have the staff, the
19 ability and knowledge to address the issues that are
20 going to come up?

21 There is a process. There is the NEPA and
22 CEQA processes, and I'm a believer in those processes.
23 And the outcomes of those processes are what we live
24 with. We can weigh in during these processes, but I
25 think if we step back and take a bigger overall

1 view -- how is BLM performing in the development of
2 the environmental documents and in the implementation
3 of the mitigation and in the projects themselves and
4 the monitoring and the follow up? That's where I
5 think we could have a bigger impact to providing
6 advice to them on where we see gaps in their strategic
7 plan to address this work to advise Teri and even
8 Washington, if we see that she is not getting listened
9 to, that they need more resources and help short term
10 or whatever to get through this crunch. Because this
11 is a blip in the workload screen, I would believe.

12 So for me, I think we should step back and
13 maybe take a look at the overall program that's coming
14 your way and see how we can address the program and
15 not individual project inputs. And thank you.

16 CHAIRMAN ACUNA: Maybe have some comments.
17 Who wants to make a comment?

18 MEMBER GROSSGLASS: I have already commented.

19 CHAIRMAN ACUNA: Are you going to make a
20 comment?

21 MEMBER HOLLIDAY: Maybe.

22 MEMBER GROSSGLASS: I have to respectfully
23 disagree with what Tom said. I don't know if our
24 function is to keep an eye on the BLM and make sure
25 they are getting these things done. A lot of time

1 Greg can't get them done because an applicant hasn't
2 given all the information. I guess I see our role as
3 helping the public and representing the public in
4 giving Teri and BLM advice on what the public would
5 like to see.

6 I know this is a huge undertaking for the
7 BLM, but it is a very confusing process even to me,
8 and I do it for a living. So I'm willing to take a
9 couple of these projects, as long as I get the
10 information that I ask for, and I will go out and do a
11 site visit. I don't have a problem with that. But I
12 understand that the other people won't.

13 But I do believe that -- there are only 15 of
14 them fast tracked, and I don't know if we go over the
15 transmission lines and we should only do ones that
16 are -- have started the NEPA process. So then we are
17 an even smaller group. So I don't know -- it's not
18 like we are going to do 150. We are going to do 10,
19 12, 15. Give me a number. Fast track?

20 MR. MILLER: Fourteen.

21 MEMBER GROSSGLASS: Fourteen. So I think
22 that's a good place to start. I think bringing this
23 subject up in front of the public is our job and kind
24 of helping BLM guide in their policy is our job.

25 CHAIRMAN ACUNA: To add where you were going

1 about administration and direction for BLM, I would
2 agree with your call on that, Meg.

3 Tom, I appreciate that getting more resources
4 for the BLM sounds like a good idea, and I have been
5 on the Council for a few years now. And there seems
6 to be a distinction, a boundary if you will. They
7 have a business to run. They run that internally. Of
8 course, we would like to give them more resources, but
9 our goal here really is to help the public talk about
10 land uses and share our ideas with the BLM and that's
11 kind of where I'm at on that, so I'm supporting that.

12 MEMBER HOLLIDAY: Well, I think that in this
13 whole program here, I'm a little -- I kind of go along
14 with where are we at with these projects? There are
15 14 fast track projects. Are those projects, have --
16 have they completed all the other aspects that need to
17 be done, Cal-ISO, all these other type of issues? Do
18 they have a power purchase agreement? If they don't
19 have a power purchase agreement, if they haven't done
20 their other Cal-ISO things, they are not really a
21 viable project yet. I mean, you might have to
22 evaluate those. The BLM might have to evaluate those,
23 but they are not in line to be a completed project
24 until those other things are done. I think that
25 that's something that we need to understand is how the

1 other processes go on within these projects.

2 That said, I think that from my standpoint,
3 I'm trying to understand what input that we are going
4 to give to the BLM on individual projects. Each one,
5 like I talked to Lloyd here, some projects may affect
6 Bighorn Sheep. Some projects may affect the visual
7 aspects. Some projects may affect recreation.

8 So how are we going to -- let's say we take a
9 project and we say, gee, it's going to get rid of 90
10 miles of trails, as this one does down in Imperial
11 Valley. What is our advice to the BLM? Well, we want
12 those mitigated or we want something to happen. Is
13 that possible? Yes, that's what the public wants to
14 see done. But is that even possible with that kind of
15 a document or a recommendation to the BLM? The BLM
16 has certain responsibilities through the NEPA process
17 and CEQA process in what they can do. And we may make
18 recommendations that are totally not doable. So I'm
19 just struggling with the idea of what is the end
20 result?

21 CHAIRMAN ACUNA: I'm going to ask April to
22 add something here, and I think I may have an idea.
23 But April, go ahead.

24 MEMBER SALL: A couple of things have also
25 come up in this. And I guess I probably have more to

1 add if I knew this was happening before yesterday
2 also. But given where we are at in the discussion, I
3 think it's probably almost 100 percent that all of
4 these projects are going to impact recreation and
5 obviously wildlife and connectivity and visual
6 impacts, et cetera.

7 I think the first thing that needs to happen
8 is we need to get a clear list from BLM on what
9 projects or what type of projects it would even be
10 appropriate or helpful to have a discussion on. Maybe
11 we were past the point on the fast track project. So
12 I think that needs to be answered for us.

13 And from there, I thoroughly agree with
14 Dick's proposal that we need to talk about, are they
15 viable? Do they have a power purchase agreement? Are
16 they moving forward in the process? Obviously, over
17 50 of these applications have been sitting stagnant
18 for over three, four, five years, so that needs to be
19 considered.

20 Maybe, you know, for me the big concerns are
21 I don't feel like the public is adequately involved or
22 has the understanding of the impacts of these projects
23 and the impacts to public lands. So for me, it's the
24 process and about how quickly this entire movement is
25 going forward. And so creating maybe some criteria or

1 some thoughts about what is appropriate places for
2 renewable energy and what is not may be a strategy.
3 Or we are talking about the way that public impacts --
4 impacts to public lands are addressed by the Council
5 and by BLM.

6 I think there were some big picture questions
7 coming up over and over again. So I think we are
8 going to have to work through those as a DAC, and
9 there are probably several questions we can e-mail the
10 BLM off-line. I don't think we are going to come to a
11 decision today on this, but I think that this is such
12 an enormous issue, it's a very important issue, and I
13 think there is so many other scopes, as Dick also
14 brought up, with other agencies and how likely these
15 are to move forward. But the public I'm not sure
16 knows all of the intricacies and all of the threats at
17 the same time.

18 So I think we have a lot of questions to work
19 through, and maybe if we talked about yes, the BLM has
20 kind of been in a broken process in terms of the way
21 these projects got to the fast track model and where
22 they are at, but maybe we can discuss at the DAC how
23 to help the BLM get to a better process for public
24 lands and for BLM.

25 CHAIRMAN ACUNA: Thank you, April.

1 MEMBER SCHRIENER: Instead of looking at
2 perhaps a project by project specific, it seems to me
3 that we might be better versed on commenting on the
4 bigger picture. For example, water usage or off-road
5 usage, so if we could have individual experts on say
6 water usage, how much water is really going to be used
7 in these projects? Where is the water going to come
8 from? Even if we pick county by county and address
9 those issues, off-road issues, endangered species
10 issues, other things that are going to be looked at
11 for all of the projects rather than looking at a
12 specific project and trying to address all those for
13 that specific area.

14 CHAIRMAN ACUNA: Randy, please.

15 MEMBER BANIS: Mr. Chairman, Madam Director,
16 I think perhaps our efforts may have not been
17 inclusive enough in terms of trying to derive a
18 strategy. Approximately six months or more ago, I
19 proposed to this body that we form a subgroup that
20 would deal with the solar energy picture. And I think
21 that we all thought, gee, a subgroup? But what are we
22 really going to do with the subgroup? What is our
23 focus and purpose?

24 Perhaps this discussion today has identified
25 an excellent focus, a specific and direct focus for a

1 subgroup to perhaps continue the discussion on how
2 best to engage the DAC or insert the DAC into this
3 large issue. Perhaps it might be a time for us to
4 schedule -- or at the conclusion of this, to try to
5 schedule a get-together specific on this issue,
6 perhaps at the district office in 45 days or something
7 of that nature, have a little more inclusive
8 discussion and break out some of these specific ideas
9 and hammer out maybe this hybrid that seems to be
10 wanting to gel. Thank you.

11 CHAIRMAN ACUNA: Very good, Randy. Thanks.
12 April, please.

13 MEMBER SALL: One more thing on that. The
14 only comment I have is I didn't vote for the idea of a
15 subgroup last time because I feel like this is all of
16 our responsibility that affects all of our
17 appointments here to the DAC, so I do feel like it
18 should be the entire inclusive group. But I do agree
19 that maybe a second meeting with all of the DAC
20 members to discuss this may be more productive.

21 But I do feel like this needs to be an issue
22 that all of the members are involved in and not a
23 subgroup, because traditionally, the subgroups have
24 been for a very focused and specific issue like an OHV
25 Friends group or something of that nature. So I think

1 this does need to be addressed by all of the DAC and
2 we need consensus.

3 CHAIRMAN ACUNA: Meg.

4 MEMBER GROSSGLASS: I really like that idea.
5 Since I didn't know that you guys were working on this
6 until Thursday night, I didn't get to come up with any
7 type of a good working plan. I never like to be -- if
8 I see something I don't like, I like to come up with a
9 workable solution. I haven't gotten a chance to get
10 my arms around it. I think there is one, but I don't
11 know if we are allowed to have other meetings to do
12 this.

13 But I would definitely be more than willing
14 to attend that and think about a way easy for us and
15 the public and the renewable energy people. So there
16 is a middle point here. I don't think we need to hash
17 it out in front of everybody. I don't know if that
18 makes any sense.

19 MEMBER SALL: Aren't we allowed to have
20 closed session meetings? We can have one on renewable
21 energy.

22 MEMBER FITZPATRICK: We are not under the
23 Brown Act.

24 CHAIRMAN ACUNA: So we can talk.

25 MEMBER SALL: So we can schedule a meeting

1 just for this.

2 CHAIRMAN ACUNA: Hearing your comments, it's
3 clear to me, as Randy pointed out, it doesn't appear
4 ripe for a decision. It's disappointing because time
5 is ticking and our next meeting is not until the Fall.
6 At that time other projects will be well on their way
7 and we will have done nothing. And this process could
8 take two more meetings until we get it resolved, and
9 that's my concern. But that's okay. We have a little
10 more time to talk about it. We might want to step
11 away, adjourn for lunch, and talk a little more and
12 come back after lunch and see if we can come up with
13 something, because I'm very goal-driven and I want to
14 achieve some action on it, if it's possible. If it's
15 not; okay.

16 But I want to see if we can beat something
17 out to get where we want to go. I notice there are a
18 couple of people that would like to add some comments,
19 but before I end my decision here, we may want to get
20 some input from the public at this point where we are
21 going on this idea to help us while we are thinking
22 this out a little more.

23 MEMBER HALLENBECK: Thank you, Mr. Chair. I
24 would ask the District Manager, what type of input are
25 you looking for on a project-by-project basis from the

1 DAC? Would it be simply, it's good, it's bad? Are
2 you looking for comments like the mitigation ratio is
3 inappropriate. It should be 4.5 to 1 versus 5? I'm
4 not sure. Are you looking for us to weigh in on an
5 alternative to come to a consensus on a preferred
6 alternative? The adequacy of the document?

7 There are so many ways of giving input. Some
8 of them are substantive and some of them aren't. So
9 I'm asking you, what would be of value to you to get
10 from the DAC on a project-by-project basis.

11 DIRECTOR RAML: I'm put on the spot.

12 MEMBER HALLENBECK: I feel like we all are.

13 DIRECTOR RAML: When I have been thinking
14 about -- let me state this first because I was going
15 to head down this path. I was going to ask -- I think
16 one of the challenges we are facing is an extreme
17 desire that the time that you spend on this results in
18 something happening. And what is the expectation, the
19 outcome of the work that you put into it and how will
20 we know that it accomplished anything? And I think
21 that is very much a real good question. In other
22 words, well, so we make a recommendation. So what?
23 And that to me is part of the challenge if you are
24 inputting -- providing me input on recommendations on
25 policy, on process, on the clarity of the way we

1 communicate, on the completeness from your perspective
2 of the information provided to make sure that we are
3 construing things to make a good decision. It's hard
4 to keep track of how it influences us.

5 So in some ways as we proceed down
6 discussion, I can assure you that your communication
7 will be evaluated and it will make a difference. It's
8 made a difference what I overhear. And what the field
9 managers overhear when we are on field trips makes a
10 difference on how we view things. I think the
11 challenge for me is get back to you how you move the
12 discussion forward and how you influence policy.

13 I'm particularly interested -- April kind of
14 hit on something -- is that I have been particularly
15 concerned about the lack of public interest in this --
16 in these projects and this approach. There are a
17 couple times today members that have been out here say
18 I'm just a citizen. And one of my concerns and why
19 I'm very interested in having people look at these
20 projects, I think that sometimes our approach is to
21 the point, I'm just a citizen; can't make sense of
22 what we are doing. So one of the things I'm looking
23 from you, it's all there. If it's there and it's
24 clear, and we can continue communicating that to the
25 public, it's great.

1 So part of it is really to provide the
2 information to make sure that we are doing things in
3 the public interest, and if you look -- in the limited
4 time you have to look at it, do you have suggestions
5 on how we need to improve? A lot of it has to do with
6 our ability to effectively communicate.

7 I think one of the values of the field trips
8 and of our meetings, and often BLM staff is often
9 complimented on how much they know about the
10 resources. How much when you interact out on the
11 project sites, how much knowledge we have to bear on
12 this. But it's a view that you have because you are
13 on a field trip. So how do we communicate this to the
14 public and how do we make sure we are communicating
15 where we have expertise and where we could offer more.

16 So it's not so much on the decision; it's on
17 the process and how we communicate and be able to
18 conclude. Let me say one more thing, which I probably
19 should have said earlier. I think the other thing
20 that's always a challenge with a diverse group is how
21 people process information and draw their conclusions.
22 So when you approach something, do you want to see the
23 landscape first and then once you get a sense of the
24 landscape and you look at the specific project and you
25 say, okay, I understand how this project sits in the

1 landscape. Or are you the type of person that says, I
2 can't get a sense of the landscape unless I understand
3 how the specific project works.

4 If we were to say -- if we were to go down
5 this path and say what we will have you take a look at
6 is the Desert California Renewable Energy Act and the
7 Solar Programmatic Environmental Impact Statement, I
8 think there would be some people that would say, how
9 does this work with this project? So that's the other
10 challenge we have is also how individuals can get
11 their arms around it. And as April and all of you
12 have said, it's huge. So have a good lunch.

13 MR. HALLENBECK: Back on that. Something
14 you said there was project specific to me. What you
15 said was programmatic review. And I had a chance to
16 scan this 2008 document which is right in line with
17 what the DAC has been telling you there about public
18 participation, about project mediations, about
19 wildlife connectivity in the big issues and the
20 clarity of the document.

21 And one last thing: You said that our role
22 as a DAC is to bring the public point of view to the
23 BLM director. And I don't think that's exactly
24 accurate. We have all been appointed for our
25 different perspectives -- transportation rights-of-way

1 and public-at-large, recreation, et cetera. So I
2 think our role is to bring all those points of view to
3 the table and then give our two cents to help the BLM
4 make those decisions and give advice from all of those
5 viewpoints.

6 MEMBER HOLLIDAY: I'd make one comment about
7 the complexity of these documents. I'm going to
8 mention, there is a Recreational Area Management Plan
9 EIS out for the Imperial Sand Dunes. I read that
10 thing from start to end twice, spent many hours. And
11 one of my comments is that there are inconsistencies
12 within the documents as far as trying to keep track of
13 things. So from a public standpoint -- I'm very
14 familiar with the area. And I have a hard time
15 understanding what the document is trying to tell me.

16 So these documents, from a public standpoint,
17 when you get information this big and it's not -- I
18 won't say -- I don't mean to be critical to say it's
19 not organized well, but it seems like there almost
20 needs to be some kind of a summary, a more detailed
21 summary of some of the issues.

22 And to me, I would think that maybe one of
23 the DAC ideas would be to help to come up with a
24 summary that would help the public understand the
25 document better. Because you get into the documents,

1 the documents are very technical, all based on trying
2 to meet NEPA requirements or meet other -- trying to
3 get it through the Court system. And some documents
4 are generated toward trying to meet requirements.

5 In the Dunes RAMP we are worrying about fires
6 and things like that. Those are all probably
7 requirements that are in all documents that have to be
8 out there. So I would really like to see the DAC, if
9 we wanted to have a real good program, would be to
10 look at putting together some kind of a summary that
11 could maybe only be applied to fast track projects
12 that would allow the public and the DAC to understand
13 that document a little bit easier. I don't know if
14 that's possible or not.

15 MEMBER FITZPATRICK: Well, just trading off
16 or building on to what Richard said, democracy is
17 building business. And as I raise this question, I
18 wonder, we want public opinion and what comes to mind
19 is, let's try to get a summary and some news reporters
20 and some video to the general public. Now, of course,
21 that gets messy. But if our goal as public-at-large
22 people is to inform the public, then I think you need
23 to involve the media to make it wider than this
24 meeting and the specifics of people who show up and
25 have a specific concern.

1 But it's a messy business. And I'm opening
2 up a can of worms, I know, because the BLM is going to
3 say, people above Teri are going to say, well, do we
4 really want to do that and leave ourselves open? I
5 know because I'm in government 12 years, what happens.
6 But I think it should be brought to mind.

7 CHAIRMAN ACUNA: Steve, you have a point.

8 MR. RAZO: Several points were made about
9 availability of information and where could we get
10 certain information. I would ask all the DAC members
11 to please visit the California State Web site. We
12 just launched the new State Renewable Energy Web site,
13 and right here on my i-Phone, I have it opened up to
14 the opening page where the fast track projects are on
15 that front page. And as I look at the fast track for
16 the Blythe project, it tells me where it is, how big
17 it is, how many acres it is, how many megawatts its
18 going to deliver, and how long the project is going to
19 take, on the average of how many employees. And right
20 next to it is a little box where you can click on the
21 status of the federal process, the status of the
22 California process, the executive summary and maps,
23 the environmental document that's existing right now,
24 policy, guidance and other documents. This is on
25 every fast track. It's up, it's there, it's now.

1 MEMBER GROSSGLASS: That's awesome.

2 MR. RAZO: So you know.

3 MEMBER FITZPATRICK: Just on that, then, the
4 general public is not going to go to that Web site
5 unless somebody -- unless a wider range of media tells
6 them that that Web site is out there. So even to get
7 that Web site out there in distribution would be
8 terrific. Thank you.

9 CHAIRMAN ACUNA: Okay. It's currently
10 11:40. We are getting close. I'm thinking that we
11 ought to have either a lunch or we give some
12 opportunity to the public to provide some comments
13 about what has transpired thus far. The idea I was
14 thinking about was there is some concern here about
15 what exactly would the DAC provide BLM under this
16 process? What are we going to tell them or recommend
17 to them? Will they listen to us?

18 So what I thought -- what I might try to do
19 is, let's talk about that Solar Millenium site we
20 visited yesterday. And I will give you my impressions
21 as a dry run on what my recommendations would be and
22 it would be this.

23 What I heard, if I was making a report, I
24 would tell you that it's 4,000 acres located near
25 Ridgecrest; that 2,000 acres would be disturbed and

1 that significant environmental impacts would occur to
2 Desert Tortoise; that their corridor would be
3 affected, and that that particular species or that
4 group of tortoises happens to be one of the healthiest
5 tortoise groups that remains.

6 I would also tell you that the solar trough
7 dishes would be part of the proposal. I would tell
8 you that that valley is currently undisturbed; that
9 there are current recreational roads crossing it, and
10 that the developer has identified those roads and will
11 keep access in some fashion.

12 My gut feeling is it's not a good location
13 for the site for the endangered species reasons
14 primarily. And I would tell you that that would be
15 the scope of my report. I don't feel so hot about it.
16 And I would open it up to discussion. And if I were
17 going to make a recommendation to the BLM, I would say
18 this: I would make the project less than the size
19 that's proposed by providing more corridors for
20 tortoise to effectively go where they need to go to
21 protect that population, if you had to approve it.
22 That would be my report. It's off the cuff. Here is
23 my idea.

24 That's the kind of thing I would ask each of
25 you to do. We would have discussion and we would go

1 from there. And the public would also have an
2 opportunity to say, hey, we agree, we don't agree with
3 you, you forgot about mining interests or grazing
4 interests. So that's a dry run.

5 MEMBER GROSSGLASS: I would like to make a
6 suggestion that we hear what the public thinks and
7 then go to lunch and talk about it. And this is a lot
8 to digest. And before I go to lunch, I want to hear
9 what the public thinks.

10 MEMBER GUNN: What you brought up is really
11 important. I would agree with what you said, but then
12 I would add to it the Indian tribes that have been
13 historically there are objecting to that site also
14 because the visual impact that this project would
15 bring to the area, that they would be looking down
16 from their historical important areas.

17 CHAIRMAN ACUNA: Exactly. We would have
18 that discussion, Lloyd, and we would probably add that
19 as a reason of our concern.

20 MEMBER GUNN: I'm just saying each of us
21 could bring something, you know, important that other
22 people might not see unless they physically visited
23 the site.

24 CHAIRMAN ACUNA: Exactly. Okay. So, look --
25 Tom.

1 MR. HALLENBECK: How much detail -- I was
2 going to comment on your report.

3 CHAIRMAN ACUNA: Please. We are vetting
4 this out.

5 MEMBER HALLENBECK: I mean, you kind of set
6 yourself up there. You said there are significant
7 impacts. That's yet to be determined. That's what
8 the environmental process already does. You have
9 jaundiced the process by making a determination. You
10 can't make an effective recommendation because you
11 have determined in your mind that the purpose of the
12 process is to study that and do that. Are you a
13 tortoise expert?

14 CHAIRMAN ACUNA: This is the beauty. We are
15 creating some discussion here. We are working outside
16 of NEPA. We are not approving the NEPA document.
17 That is not our role. Our role is only to visit the
18 site and give some recommendations. And it's for us
19 to vet that out. You can call me -- call me a liar.
20 That's okay. No. No. That's great. That's why we
21 are here is to have some good discussion.

22 MEMBER SALL: I think that that's a perfect
23 example of this process being flawed. And I think we
24 should hear from the public and go to lunch and
25 discuss this, because I think we can be here all day.

1 MEMBER SCHRIENER: I will wait until after
2 lunch.

3 MEMBER HOLLIDAY: Does this mean our
4 discussion is complete?

5 CHAIRMAN ACUNA: After we get done with
6 this, we will stop, have lunch and reconvene.

7 MEMBER HALLENBECK: And the DAC will continue
8 to have discussions?

9 CHAIRMAN ACUNA: We are getting some
10 comments here. We are going to need your blow horn
11 here. And please, those who comment, don't be
12 offended if you hear that. If you hear it, please end
13 your discussion promptly. Okay? Let's go with Sophia
14 Merk. Please come and state your opinion.

15 MS. MERK: Hi. My name is Sophia Merk. I
16 live in Ridgecrest, California. My address is 2062
17 South Mikes Trail Road.

18 I'm just going to speak off the cuff because
19 of the fact that this is off the cuff and we are not
20 doing a complete NEPA process at this point. However,
21 when the first application was filed in regards to
22 Solar Millennium, they have changed the amount of
23 verbiage in the EIS many times. And one of the things
24 that was substantially changed was acreage.

25 Under the CEQA process whenever you start

1 changing the acreage, in the CEQA process it backs you
2 up and makes you start all over again under the CEQA
3 process. However, the NEPA process doesn't do it that
4 way. One of the things I would like to comment on,
5 though, is that that area was multiple use before.
6 And it has the largest Desert Tortoise community that
7 is healthy with all the other groups going on. And
8 that is very, very unusual for that to happen.

9 Also, the Native Americans I believe are
10 protesting this quite a bit. And this should be
11 looked at and not just by under Section 7. I mean, it
12 really should be looked at.

13 The county rights-of-way, in regards to some
14 of the roads in that area, Brown Road in particular,
15 has not been looked at carefully. The water table in
16 this area is dropping two feet a year. Now, it's
17 true, Solar Millennium has changed their processes so
18 it's not going to be as detrimental. But we are still
19 in a draw-down effect. I know that the BLM does not
20 have control over the water, but they really should
21 look at what the water does in comparison to the
22 native vegetation.

23 That's really all I want to say at this time
24 except for I believe that a subcommittee should be
25 formed and not just one individual from the DAC

1 looking this over. And I'm sure that there are many
2 local people that would love to help if there is any
3 way possible for you to look at it besides just from
4 the BLM's jurisdiction.

5 And one other thing, too. It's being
6 appointed under the rights-of-way program. And one of
7 the main concerns under the rights-of-way program is
8 you need to look at whether it's going to be any
9 degradation to public lands. And I believe, whether
10 it's significant or nonsignificant, whether it's gone
11 through the NEPA process or not, I believe that should
12 be looked at a little bit more carefully. Thank you
13 very much.

14 CHAIRMAN ACUNA: Appreciate your comments.
15 And let me make a reminder for those who are going to
16 come forth and make a comment. Please don't bring
17 your attention to a matter that we are not discussing.
18 We are discussing the idea of changing how we do
19 business, that we assign a Council member to look at a
20 specific project and to make a report. And what I
21 would like to hear from you is, do you support that
22 idea? Do you not support that idea? What is your
23 suggestion? So please focus on that alone. So with
24 that, I would ask Dave Matthews, please.

25 MR. MATTHEWS: I'm going to defer until after

1 the renewable energy report because I wanted to expand
2 on something else. So not specifically your proposal
3 here.

4 CHAIRMAN ACUNA: Thank you, David. Mark
5 Algazy, please.

6 MR. ALGAZY: Thank you, Mr. Chairman, members
7 of the DAC. Again, Mark Algazy, representing the
8 general public.

9 I think you guys need to stop and ask
10 yourself if you are just giving -- just -- I can't
11 think of the word now -- to the idea of representing
12 the public, because I am a member of the
13 public-at-large. And as a member of the
14 public-at-large, I would very much like you to move
15 forward with this idea that you started. I think it's
16 extremely important. I unfortunately didn't have a
17 chance to organize my notes so well, so I may drift
18 just a little bit.

19 When you talk about the idea of looking at
20 individual projects versus programatic response, we as
21 the general public we are not programatic. The people
22 that come to these meetings, they have specific
23 concerns of specific projects. And if you are
24 representing the public, you should be prepared to
25 respond to individual projects. So that's all I have

1 to say about programatic versus specific projects. I
2 really feel that you are doing the public a disservice
3 if you don't look at these projects individually.

4 Second, I think that the idea of these
5 reports is very, very necessary for three reasons.
6 The first is for the DAC itself. A number of these
7 members have shown publicly today -- and I'm not going
8 to point any fingers -- they haven't read everything
9 they could have or should have read before the
10 meeting. And the number of tools that you have
11 available for you to become informed before you come
12 to a meeting to make a decision, the more tools you
13 have can only make you make a more informed decision.
14 So relying on less information is never a better idea.

15 And if you are going to generate a report,
16 that will increase a probability that every one of you
17 will have read something before you come here rather
18 than just listening to what someone else has to say.
19 That increases the probability that every one of you
20 will make a more informed decision, and that's a
21 decision you can be proud of it when you are done at
22 the end of the day. Human nature being what it is,
23 you know that you don't get to everything you want to
24 get to, and if you have something that's concise,
25 maybe you will take another look at it.

1 The second thing is the DAC has a
2 responsibility here that the BLM will never admit to:
3 That the BLM is under enormous pressure from the
4 forces above it to move these projects forward. So I
5 don't believe that the BLM speaks as frankly or as
6 openly as they could or should about their concerns
7 with the project. And they are really, I believe, in
8 a way, hoping that the DAC will provide an important
9 counter balance to the pressure coming from Washington
10 because in general, a lot of the pressure from the
11 public is very disorganized. And you have a unique
12 opportunity with the place where you're at to provide
13 these kinds of reasoned, informed responses that the
14 BLM is very much in need of, but is not able because
15 of political pressures to generate itself.

16 The third --

17 CHAIRMAN ACUNA: Mark, I'm going to have to
18 ask you to stop. You know, I like what you are
19 saying, and that hurts. But in fairness to the other
20 speakers, I need to have you stop. So thank you.

21 MR. MATTHEWS: I will withdraw what I said.
22 I rethought what I had to say, and I think this is an
23 appropriate time to say it.

24 CHAIRMAN ACUNA: Okay.

25 MR. MATTHEWS: Dave Matthews again. I guess

1 the reason I withdrew my deferral is because thinking
2 about your sample report that you gave, it occurred to
3 me that you were misheard. The connectivity problem
4 that you mentioned is not with the Desert Tortoise.
5 It was with the Mojave ground squirrel. Also,
6 yesterday at that first stop on the field tour, there
7 was a discussion about the tortoises and Mojave ground
8 squirrel. And the question was asked by somebody --

9 CHAIRMAN ACUNA: I have to interject here.
10 We are asking for a response whether you like the idea
11 of the change in business, not the specific projects.
12 Please focus on that.

13 MR. MATTHEWS: What I am pointing out to you
14 is if you go through with the process, there is the
15 possibility that the objectivity of the person is
16 going to get interjected. And I think you have
17 already -- that's already been pointed out to you. So
18 I am kind of open to the process, but it needs to be a
19 cautious approach.

20 CHAIRMAN ACUNA: Thank you, Dave.

21 We have Michael Hogan. Is this the right
22 time or were you going to wait? Michael Hogan.

23 MR. HOGAN: Aren't we all ready for lunch.
24 Michael Hogan, Solar Wind Environmental Technologies,
25 Incorporated.

1 My experience comes from 26 years with the
2 BLM, 19 of them in the Ridgecrest field office with
3 the lands and realty program.

4 I would like to say that I am opposed to your
5 project going out on-site. The process, if you do
6 decide to go forward with it, I do have some
7 suggestions, though. And this is based on the fact
8 that I have opposed a few things in my career and
9 people have gone forward with them anyhow.

10 The process, if you do decide to go out on
11 it, I would recommend that all of you become very
12 familiar with the Wind and Solar Construction
13 Memorandums that are out there. I would recommend
14 that you have a proponent on-site, as well as a BLM
15 representative, so they can give you a full grasp of
16 the project. And I would highly recommend that you
17 review the development so you are very intimate with
18 what the project is. Already if it's gone to an EIS
19 or draft EIS, I would recommend you understand what is
20 going on with that.

21 Develop a checklist based on NEPA rather than
22 CEQA because this is a NEPA-based process, but I would
23 stay away from cumulative impacts until you are really
24 concerned about how to do cumulative impacts. With
25 nearly 30 years of federal knowledge with BLM,

1 cumulative impacts are very challenging even to a very
2 astute BLM-er. And it's very challenging and it's a
3 moving target, and I would really recommend staying
4 away from those.

5 But what you are talking about, a lot of the
6 things you are talking about have a plan amendment
7 type of connotation to it, so I would really try to
8 stay away from a lot of the things that you are really
9 talking about. If you want to go out on the project,
10 go out there, get intimate with it, give a report, but
11 I would check with the regional solicitor, make sure
12 you are not stepping on legal grounds, that your
13 recommendation in light of an appeal will put you
14 front and center at IBLA because you could become a
15 case recordation issue. Okay?

16 In 2003 in October, the floodgates were
17 opened with the Interim Wind Energy Policy. At that
18 time, seven years ago -- it's going on to eight --
19 there was a lot of applications that flooded BLM.
20 There were 105 -- we are back to 155 right now. There
21 is a lot more rejected. But there really needs to be
22 forward motion.

23 I will step down, but you are not only
24 costing the American people by delay, but you are
25 costing the companies by delay. And the permit

1 delayed is a permit denied, and we need to move
2 forward. The Gulf of Mexico is just an example of
3 what the kinds of problems we are going to continue to
4 have if we don't move forward.

5 CHAIRMAN ACUNA: Okay, very good comments.
6 Somebody raised their hand. Who was that? Oh, I'm
7 sorry, James. Is this the opportunity you wanted to
8 spend your time on? Okay. Come on up.

9 MR. WELLING: My name is James Welling. I'm
10 representing the Edwards Community Alliance. We
11 formed 12 years ago, and we worked on the base on BRAC
12 issues way back on. One of the things we work on is
13 encroachment. And a gentleman came to our meeting
14 Monday morning and informed us of projects going on.
15 This has to do with wind turbines. When they are
16 turning, they are actually generating a signal, and it
17 interferes with their electronic software. And when
18 they do Doppler testing, they can't do it because
19 there are so many turbines out there. So now there is
20 another project going on in Barstow that's going to
21 put up more turbines.

22 I approve where you guys are going. I think
23 it's getting too muddy, though. There are too many
24 things coming in that really aren't critical. But I
25 think also you need to bring the military in because

1 there is a large air space up there that could be in
2 jeopardy that will affect China Lake, Edwards and also
3 Mojave Air and Space Board. Everybody uses that space
4 because it is restricted to commercial. And it's
5 actually larger than the state of the New Jersey.

6 If they lose these programs because they
7 can't do them anymore, and then they will move out of
8 that area, that could jeopardize the air space for
9 everyone else. I like where you're going, but I'd
10 like to see you get the military in and get input from
11 the military.

12 Kern County has a green and yellow and red
13 map which tells the wind people where they can put
14 these towers up, mostly dealing with height. Nobody
15 even thought about that, the little signal coming out
16 of the front of those, so maybe there is some way you
17 could incorporate that because the counties -- the
18 counties have no influence. You guys are the ones
19 that can have the influence, and I would like to see
20 you bring the military in.

21 CHAIRMAN ACUNA: Thank you. John Stewart,
22 please.

23 MR. STEWART: John Stewart, California
24 Association of Four-Wheel Drive Clubs.

25 The real big issue that comes to my mind is

1 how is public comment going to be considered? And
2 Teri made a comment: The collective wisdom of
3 informed people is important. And to do that and to
4 facilitate that, I would say make the data available.
5 One of the things that comes up in here is that which
6 is a collective wisdom on the part of the DAC members
7 is you are representative of special or certain
8 interest groups. Tap that interest group in order to
9 begin to define the cumulative impacts. They are
10 going to be extremely important as they go through.
11 You cannot ignore them at this level.

12 The previous speaker said to ignore them
13 because they are hard to develop. Take that
14 challenge, develop it, because the DAC is about
15 accepting public input and helping to resolve
16 conflicts. And this comes from the wide variety of
17 the interest groups available.

18 You should be looking at the landscape level
19 of what is happening. That landscape level is wide
20 ranging in what it is. It's either from the aircraft
21 issues, it is from the roads for transportation
22 systems, it's from grazing, it's from private land,
23 interaction with public land. It's from the
24 recreation, motorized and nonmotorized recreation, and
25 from the endangered species.

1 I would like to see the DAC move forward and
2 try to pressure the BLM to begin making their GIS data
3 layered information available. Steve Razo indicated
4 that yes, there are maps available. So what? A map
5 is a map. It shows a specific issue. Without having
6 the ability to take the data displayed on one map and
7 combine that or look at that with overlays with other
8 data, you do not begin to understand the landscape
9 level of what is happening.

10 Looking at a project specific or projects by
11 projects, you lose perspective of what is happening
12 over the broad landscape, and as such, losing that
13 overall perspective is outside what the intent of the
14 DAC was. It was to gain public input and help the
15 public advise the BLM of how to move forward with
16 certain projects. Facilitate that, and then your
17 proposal has merit. If you do not facilitate public
18 input and transparency to the public so the public can
19 understand it, then you are failing in a portion of
20 what the DAC is supposed to do.

21 So again, communication to the public is very
22 important. But that communication has got to be based
23 on transparency, providing the data available that the
24 agency is working on. Let the public know what you
25 are working with. So your DAC biases should lay the

1 groundwork for the people that it impacts. So thank
2 you.

3 CHAIRMAN ACUNA: I'm going to ask Ed
4 Waldheim.

5 MR. WALDHEIM: Ed Waldheim, public-at-large.
6 I think you are on the right track. It's just a
7 question how we are going to market it. I didn't
8 appreciate threats of some of the speakers before.
9 That's kind of putting the cart before the horse. We
10 need to -- you are representing the public within your
11 interest groups. So Teri, with your idea, I would say
12 we need to go back and as Mr. Banis suggested, program
13 a subgroup within the DAC on dealing with these
14 renewable resource issues. Give us position papers on
15 each of the 13 items from your point of view, taking
16 into consideration all of us who have the interests in
17 the rights-of-way, minerals, the birds and the bees
18 and tortoises and recreation.

19 And then convene a meeting at the Moreno
20 Valley office, discuss those subcommittee hearings,
21 and have the public who is interested, send them a
22 notice and e-mail so we can participate in a dialogue.
23 From that subgroup, you will come up with a position
24 that they can recommend to you as to which way they
25 feel we should be going. We will have achieved a

1 public process for the public participation. Right
2 now, the Friends of Jawbone meeting, the reason so
3 many showed up is we don't know what is going on. A
4 lot of people have a problem.

5 Mark has been going through a document for
6 the whole last two weeks. We cannot expect the public
7 to do that. They are not going to do that. And you
8 have a document here that was developed in 2008, which
9 showed Mike Pool was part of it, Renewable Energy
10 Action Team, REAT. You can make a subgroup or copy
11 for what REAT has done in your California Desert
12 region and just copy from this MOU that you already
13 have in place so we are following the process. And
14 the public can then participate and get on line on the
15 process. It's not quite what yours is. It's a little
16 bit what you are doing and a little bit of what
17 Mr. Banis suggested at the last DAC meeting.

18 So when you reconvene, form a subgroup, have
19 Teri get the information from Greg, who has all the
20 information on that, get a one-page synopsis and vet
21 it in open forum. Next meeting come back and you can
22 get your answer at your next meeting.

23 CHAIRMAN ACUNA: Very good. Thank you. I
24 think that concludes those who wanted to speak on this
25 topic.

1 MEMBER HOLLIDAY: I want to make a comment.

2 CHAIRMAN ACUNA: Yes, Dick.

3 MEMBER GROSSGLASS: Are you sure, Dick?

4 MEMBER HOLLIDAY: Yeah. I thought about it
5 really long and hard.

6 I wanted to point out something that the
7 gentleman from the solar company pointed out, which
8 was really a good point. And that's, you know, if you
9 are not -- to go out at one of these sites, if you are
10 not familiar with what it is and what kind of
11 generation they are going to do, what the processes
12 are, where it's going to be, it's not going to be very
13 useful. You are going to look at some visual things:
14 I don't think anything should happen here.

15 Take an example of the site we went to
16 yesterday, our first one where you made your test
17 presentation there. What if you got out there by
18 yourself with nobody to tell you where the power block
19 was going to be, where they were going to move the
20 transmission lines, where the location of the facility
21 was going to be. You would be totally lost. So
22 without having the details of the particular location,
23 it does absolutely no good to go out there and walk
24 around and see what is there.

25 So I think that this whole thing is -- maybe

1 a subgroup is a good idea. If they were going to go
2 on a field trip, they would have the BLM and the
3 participant engineers there to give them a good
4 understanding of what type of generation they were
5 going to have or where the facilities were going to be
6 located, what roads would be changed, what would be
7 lost, what would be put in there. End of story.

8 CHAIRMAN ACUNA: Very good. Good points. So
9 12:10 right now, and I think we had set aside an hour
10 for lunch. So I'm going to suggest we get back here,
11 actually more than that, hour and 15 minutes. You
12 guys want to use an hour and 15 minutes for lunch? So
13 we are going to be back here at 1:30 to conclude on
14 this topic. Thank you.

15 (Lunch recess taken from 12:12 to 1:32 p.m.)

16 CHAIRMAN ACUNA: I would like to reconvene
17 the meeting and get started where we left off a moment
18 ago, and that was the DAC was having a discussion on
19 project level review of renewable projects. I want to
20 share with you that some of the members of the DAC sat
21 down and had some lunch together, and we talked about
22 this further. Not all of us did so, so we would like
23 to make a proposal based on what I heard. And so if I
24 got things incorrectly, please, DAC members,
25 straighten me out and help me out so that we have a

1 proposal for us to move on.

2 The proposal is this: At the next DAC
3 meeting, we will have on the agenda three, maybe four
4 renewable projects that have an application to the BLM
5 that are in the process of a NEPA review. The DAC
6 will take on a report to the DAC. In this case those
7 people would be Meg Grossman --

8 MEMBER GROSSGLASS: Glass.

9 CHAIRMAN ACUNA: Glass. Sorry. Also April,
10 and Lloyd. And what they would do is this: They
11 would each take an assigned project, drive out to the
12 site with the BLM representative, query them for
13 answers to some sort of checklist that we will work on
14 further. They will put together a work plan of who
15 they are going to meet with, when, and submit that to
16 Teri for her approval. That way they get reimbursed
17 per diem. They will go out and get that information
18 in some fashion, and at the next meeting give us their
19 findings.

20 It's important to know at this point, they do
21 not have to give a personal opinion about the project
22 as a whole. What the DAC will do is individually we
23 will provide comments to the BLM as to how we see that
24 project -- good, bad or indifferent -- and then that's
25 it. It's not necessary for the DAC to make a uniform

1 recommendation. We each will give our perspective
2 based on what we heard. Now, the beauty of this is
3 that members of the public will have heard the report
4 and during the public comment period will have an
5 opportunity to give their feelings about the project
6 as well. I think that's part one of what our proposal
7 was.

8 The other, which we did not discuss earlier
9 with the public, was this: Our general feeling is the
10 dissemination of information available for the public
11 is not always easily gathered and understood. And a
12 subgroup of us will be formed to assess how good are
13 our BLM tools so that the public can gain the
14 information that's easy for them to dissect and
15 understand.

16 The beauty of our DAC members going through
17 this pilot program on their two or three projects is
18 they themselves will be put into a position of
19 gathering that information and finding out how really
20 useful and easy it is to get. And they can provide
21 their thoughts directly to the subgroup with their
22 thoughts, and then the subgroup would make their
23 opinions known to the BLM to improve the tools of
24 information available to the public. So those are the
25 two parts.

1 I would ask at this point for the DAC members
2 to please let me know where I went wrong on this or if
3 I got it right.

4 MEMBER HOLLIDAY: I would suggest that rather
5 than having a subgroup that you are going to have to
6 find members for, that you would have like an ad hoc
7 committee of the DAC that would do the part where we
8 investigate the adequacy, if we used that word
9 "adequacy," of the document information. So that's
10 really to me kind of a one-time deal unless there is a
11 bunch of changes made to it. It's kind of a one-time
12 deal. So to go to the trouble of having a subgroup,
13 you should ask for volunteers from the DAC and have an
14 ad hoc subcommittee that did that job and be done with
15 it.

16 CHAIRMAN ACUNA: So you are suggesting the
17 subgroup be a one-time thing?

18 MEMBER HOLLIDAY: I'm calling it an ad hoc
19 subcommittee rather than subgroup. A subgroup to me
20 means that you are going to go out and try and have
21 people sign up for it and do everything else. I'm
22 looking for a simple, yes, we are going to get
23 together at BLM office and each member of this ad hoc
24 group will review the documents like on-line, like
25 Steve explained. We then get together and review

1 those and see if there can be any improvements to
2 that.

3 CHAIRMAN ACUNA: I think your point is well
4 taken that it's really a better tool stated that way
5 because it actually streamlines and puts less
6 administrative steps we would have to follow as a
7 subgroup. So what I would suggest that the people
8 that I named, those three, they could provide their
9 input to the ad hoc group and then ultimately we could
10 share that information with the BLM. Would that be
11 all right? Do I get some positive nods on that?

12 MEMBER BANIS: Just saying there is
13 precedence for ad hoc group. The signing subgroup
14 that we had several years ago was an ad hoc group.
15 Met once, twice, and gave their report.

16 MEMBER SCHRIENER: Can someone in BLM address
17 how many projects, regardless of whether it's
18 alternative energy or whatever, have undergone a
19 NEPA/CEQA process across our fair country? A few
20 hundred, a few thousand, a million? How many people
21 have reviewed that and gone through that process? Are
22 we now saying that we are somehow looking at this
23 process, which is fairly well-established, and coming
24 up with some new perceptions of how we should proceed
25 forward in communication, given the 50 states and

1 territories and other things? I'm just trying to get
2 my brain wrapped around what our real mission in going
3 forward is, given the scope of how many projects have
4 undergone this project already across the entire
5 country.

6 CHAIRMAN ACUNA: I will try to start an
7 answer. I'm sure others will help. I think it's
8 important that we all recognize that NEPA is a legal
9 process for environmental review. And we are not
10 touching that in any way. We are not advising under
11 NEPA. We are not making decisions under NEPA, so
12 that's a separate matter. That goes on its own with
13 the BLM, and its process with the public and the
14 proponents of those projects.

15 But what we are doing is we are taking an
16 active role. We are sending representatives to get in
17 their car, get on the ground, look at things, look at
18 the information, and come back, share with the DAC
19 what they found out, and then we are going to provide
20 the individual DAC members time to state their
21 opinion, only their opinion, as to what is good about
22 the project or if there needs to be any changes. It's
23 advisory only. There is no DAC decision necessary as
24 a group.

25 But I think the most important part is that

1 when we have this topic, members from the public can
2 come forth after hearing this, and can also give their
3 opinion. So I don't know if that entirely answered
4 your question, Alexander. Can we help you more on
5 that one?

6 MEMBER SCHRIENER: No, that's fine.

7 MR. HALLENBECK: To paraphrase Alexander --

8 MEMBER SCHRIENER: It's Alex. Only my late
9 mom called me that when I was in trouble.

10 MR. HALLENBECK: Is this additional work for
11 the BLM by this ad hoc group coming back with
12 recommendations on doing additional things to enhance
13 public outreach and public understanding of the
14 project and it's impact?

15 CHAIRMAN ACUNA: Yes. That's another good
16 part of this approach. After we carry out this idea,
17 each of us are going to learn how easy or how
18 difficult it really was based on the tools that were
19 available. And what we hoped in the ad hoc
20 perspective is to share that so that the BLM can tune
21 it up, so that the members of the public can enjoy
22 from our learning when we gather this information.
23 Does that meet your criteria there, Tom?

24 MR. HALLENBECK: Well, let's try it and see.

25 CHAIRMAN ACUNA: That's what this whole

1 thing is for all of us. That's a pilot program. We
2 don't know if it's going to work. It's the idea many
3 of us seem to support. And so if we have any more
4 discussion -- and I don't think we need any more
5 discussion from the public because we perceived their
6 input prior to lunch. If this group is okay with what
7 I have submitted as the idea, the proposal, I would
8 ask for a motion to move ahead with this.

9 MR. HALLENBECK: Mr. Chair, I make a motion
10 that the DAC form an ad hoc committee to provide DAC
11 at a future meeting on the availability, efficacy and
12 the accuracy and other aspects of the information
13 available on these renewable energy projects and the
14 public's ability to comment effectively and understand
15 the project as a whole.

16 CHAIRMAN ACUNA: Before you close your
17 motion, since I see that as part 2, which is the
18 improvement, can I add a first part to that?

19 MR. HALLENBECK: Would you like me to try to
20 add to my motion?

21 CHAIRMAN ACUNA: Yes.

22 MR. HALLENBECK: Furthermore, I would also
23 move that several members of the DAC go forth and
24 prepare for the next meeting a summary of their
25 activities on a project-by-project basis on projects

1 that are chosen.

2 CHAIRMAN ACUNA: So that is the motion. Do
3 we have a second?

4 MEMBER BANIS: Well stated. I will second
5 that.

6 CHAIRMAN ACUNA: I would like those who
7 support this proposal -- is there any more discussion.

8 MR. RAZO: One point, a reminder that
9 Mr. Rudnick and Ms. Grossglass cannot vote. So on
10 voting issues, they cannot vote. She is not here
11 anyway.

12 CHAIRMAN ACUNA: With that, if there seems
13 to be no more points of discussion, may I have those
14 who support this motion please raise their hands. And
15 those who oppose? We have one abstaining, I think
16 two abstaining. So the motion passes. Motion passes.
17 Motion passes, and that's what we are going to do for
18 the next meeting. We will have two to three projects
19 to talk about and we hope engage the public and hope
20 to have better outreach process from the ad hoc
21 committee. Are we good? Very good. We are right on
22 time, are we not?

23 MR. HALLENBECK: Mr. Chairman, who is on the
24 committee?

25 CHAIRMAN ACUNA: Well, we have three people

1 right now, and that would be Lloyd, April, and Meg.

2 MEMBER BANIS: Whether I'm on it or not, I'm
3 there.

4 MR. HALLENBECK: I'm talking about the ad hoc
5 group. Are you going to join us?

6 I thought they were the people that were
7 going to do the review and presentation.

8 CHAIRMAN ACUNA: Because they would be
9 available to provide some feedback, so Randy, if you
10 will take the lead on that.

11 MEMBER BANIS: I want to be part of that.

12 CHAIRMAN ACUNA: So you will collectively
13 take care of that and submit that to us?

14 MEMBER BANIS: Great.

15 CHAIRMAN ACUNA: I just like to be clear
16 about things.

17 MEMBER FITZPATRICK: Mr. Chairman.

18 CHAIRMAN ACUNA: Yes.

19 MEMBER FITZPATRICK: Before you move on, are
20 you saying that those four people who are doing the
21 summary are also the ad hoc committee as well? Are
22 they members of the ad hoc committee?

23 CHAIRMAN ACUNA: Members of the ad hoc
24 committee, as well.

25 MEMBER FITZPATRICK: So now the next item is

1 we have to have volunteers to the ad hoc committee.

2 CHAIRMAN ACUNA: I believe I did it all in
3 one motion.

4 MEMBER FITZPATRICK: No, I understand. I'm
5 not looking for another motion. I'm looking for
6 appointing members for the ad hoc committee before we
7 move on.

8 CHAIRMAN ACUNA: Randy, please take it from
9 here.

10 MEMBER BANIS: Either we volunteer now or we
11 set a meeting and anyone can attend. I'm hoping there
12 will be an open meeting and open participation. I
13 have no problem if every single member of the DAC
14 wants to be on the ad hoc committee. If we want to
15 specifically raise our hand, that's fine, but I want
16 to make sure every member of the DAC has an
17 opportunity to participate.

18 MEMBER FITZPATRICK: Just to clarify that the
19 procedure would be that the ad hoc committee would
20 e-mail everyone from the DAC to let them know what was
21 going on.

22 MEMBER BANIS: Yes. The three individuals
23 would be doing site-specific work. And that it would
24 be presented to an ad hoc committee. And that all of
25 the DAC members would be noticed about this ad hoc

1 committee and would be free to participate and come to
2 this meeting. Do you want to go?

3 MEMBER HOLLIDAY: That's what I didn't quite
4 understand, you know. I'm really sorry. The three
5 people are going to do the site-specific reviews. The
6 ad hoc committee was specifically to look at the
7 information dissemination. And they don't really
8 have -- they are not really together. There were two
9 different issues, two different tasks. One task by
10 this ad hoc committee was to review the BLM's public
11 information and see if it works for them and make
12 recommendations if something needs to be changed. The
13 other thing was going on with your idea of looking at
14 places there with the three people. That's why I
15 abstained because I didn't understand.

16 CHAIRMAN ACUNA: I think we are good.

17 MEMBER BANIS: I just wanted to consult with
18 Tom, the maker of the motion. I'm fine with that.
19 I'm fine with that. I would expect that those three
20 folks who are going out to the look at the specific
21 site for specific information would, through the
22 course of their work, find suggestions processwide
23 that we would be interested in.

24 CHAIRMAN ACUNA: Excellent. So we can close
25 this matter and I want to congratulate the DAC and

1 make people in the public arena there understand that
2 this was potentially going the wrong way before lunch.
3 And I think a lot of us were concerned that this could
4 carry on for a couple of hours and we would be there
5 very late. I think we came up with something that we
6 all compromised on and came up with an idea that's
7 going to work. And now we are going to enjoy the
8 benefit of moving on with the project. So thank you
9 guys, I really appreciate that.

10 So now we are going to move onto the 2:15
11 renewable energy program update. That will be
12 presented by Greg Miller, our renewable energy program
13 manager.

14 MR. MILLER: Members, Chairman Acuna and
15 members of the Council, thank you very much for
16 letting me present, again, an update for the renewable
17 energy program for the CDD. I'm Greg Miller, the
18 renewable energy program manager.

19 CHAIRMAN ACUNA: Can you stand up and maybe
20 kind of face the audience this way, because we are
21 here.

22 MEMBER BANIS: Can you open with a little
23 song?

24 MR. MILLER: Got a guitar back here.

25 But anyway, I'm just going to give you a

1 little update on the renewable energy program. This
2 will help as well to give you an idea of what projects
3 that you may be able to select in the near-term future
4 as far as which ones are just about ready to end the
5 draft EIR and public comment, and others that are
6 getting ready to move into the public comment period.
7 They haven't opened up the public comment period yet
8 or have just started. And I do apologize, when I left
9 the office yesterday I had a perfect Power Point.
10 When I put it on Mr. Razo's computer, it's not so
11 perfect anymore, so it's going to have some things
12 missing.

13 We are going to start with out ISEGS, the
14 unit out near Needles. This gives an idea of what the
15 latest of the footprints is going to look like.

16 The latest of the footprints shows that it
17 dropped from about 4,000 acres footprint size down to
18 3300 acres. It's going from 400 megawatts down to 370
19 megawatts. It has now 173,500 heliostats compared to
20 a whole bunch more, but they have dropped quite a
21 number of heliostats. They are now with only three --

22 MR. HALLENBECK: How do these things change?
23 You are saying a draft is about to end. Did it change
24 during the draft process?

25 MR. MILLER: It did. It changed during the

1 draft process. That's why there is a supplemental
2 draft on the streets.

3 MR. HALLENBECK: Are them responding to the
4 public comments?

5 MR. MILLER: All the public comments received
6 from all the different entities, federal, NGO's,
7 individuals, stuff like that.

8 MR. HALLENBECK: So the supplemental starts
9 the clock again?

10 MR. MILLER: Not the whole time. It's a 45-
11 day comment period for the supplemental instead of
12 90-day period. Under our comment period, because we
13 are doing a California Desert Conservation Area Plan
14 Amendment, it's a 90-day comment period. If there are
15 no comments during the process on the plan amendment
16 and they want to change something, then they go to a
17 45-day comment period. But if there are comments so
18 we have to change something with the plan amendment,
19 it's back to 90 day. But there is no change in what
20 we were proposing for a plan amendment.

21 We went down to three power towers now and
22 there used to be about eight, I think at one point in
23 time. Seven, Rusty says. Thank you. And so now the
24 supplemental draft EIS was published on the 16th of
25 April. And the comment period ended for that on June

1 1st, so they were in the final environmental impact
2 statement draft right now.

3 Now, on all of these projects that have
4 Energy Commission involvement, and that's -- for
5 everybody, that is an Energy Commission for
6 California. It gets involved in power -- solar power
7 technology when it involves heat transfer, and it's 41
8 megawatts and higher that uses some kind of a heat
9 transfer fluid, heat storage of some sort, molten
10 salt. If it's a photovoltaic technology, the Energy
11 Commission does not get involved. It becomes a County
12 or California Fish and Game or something of that sort.

13 So for all of these projects now that we have
14 gone with a joint document on the draft EIS staff
15 assessment, we are separating it at the final
16 document. So the Energy Commission is now going to
17 publish their own final staff assessment. And the BLM
18 will be publishing their own final EIS.

19 The reason why we did this was there was a
20 lot of confusion from the public as to what was being
21 addressed, CEQA or NEPA, and how it was being
22 addressed. And under the staff assessment and the
23 draft EIS, it was confused in the document. It was
24 hard to pull out. So now we are separating it. We
25 can see what NEPA areas are being addressed solely and

1 complied with and CEQA can be applied on the staff
2 assessment for their documents.

3 They are going to say the same thing; they
4 are going to pull stuff from the draft EIS into the
5 final. There won't be a change in the language very
6 much. Just making sure we are making sure that the
7 NEPA -- the policy is complied with and answer --
8 those questions are answered more completely instead
9 of under the draft comment document or shared
10 document.

11 MEMBER GROSSGLASS: Will you be doing that on
12 all further documents for Tule or any of those others?

13 MR. MILLER: Wind doesn't have an Energy
14 Commission. This has it because solar thermal.

15 MEMBER GROSSGLASS: Tule has other issues.

16 MR. MILLER: Meg's question was, are we going
17 to do it with all the others? No. If we are involved
18 with the county, we will be doing a joint EIS/EIR with
19 the county, or it could be an IA/EIR depending on the
20 significance of the project. But definitely joint
21 county/BLM document with Tule Wind and Ocotillo
22 express or other projects that are just county
23 jurisdiction and don't have to involve the Energy
24 Commission.

25 MEMBER GUNN: There will be a final EIS

1 coming up and then there will be more public comments?

2 MR. MILLER: There won't be any public
3 comments on the final EIS. The final EIS will come
4 out with a Record of Decision. And then during that
5 process, there is an appeal period for the record of
6 decision and also a protest period -- there is a
7 protest period and then there is a final.

8 MEMBER GUNN: The protest period involves the
9 public?

10 MR. MILLER: It involves anybody who wants to
11 protest our decision or appeal the decision can -- I
12 believe can involve them, but during that 90-day --
13 now it's 135-day comment period we had with the ISEGS,
14 the public comment was pulled in during that time and
15 looked at, analyzed, listed, and used to either change
16 or update the document.

17 The other three that I have, this is where
18 the transfer from my computer to Razo's commuter
19 messed up. So for Calico Solar in Barstow, Phase 1,
20 Phase 2 project: Phase 1, 2300 acres with 275
21 megawatts. Phase 2 is 3800 acres with 575 megawatts.
22 They have recently adjusted the footprint for that to
23 accommodate what they are calling a wildlife corridor
24 between the mountains and the footprint of the
25 facility itself. So that there is some sort of

1 east-west kind of a corridor migration type of thing
2 for primarily Desert Tortoise, not cutting them off
3 east-west.

4 MEMBER FITZPATRICK: The two numbers are
5 12,327 and 23,088.

6 MR. MILLER: No, Phase 1, Phase 2.

7 MEMBER FITZPATRICK: Phase 2. I got it.
8 Move up to the front. There are plenty of seats
9 available.

10 MEMBER BANIS: How wide does a corridor need
11 to be to be considered an effective corridor?

12 MR. QUILLMAN: According to Fish and
13 Wildlife, they would like to see two home range
14 widths, so they moved that corridor down approximately
15 3,000-plus feet so they could meander through the
16 foothills.

17 MR. MILLER: From the edge of the mountains
18 down to the edge of the project. The total acres now
19 is 6215 acres and 850 megawatts. And they didn't lose
20 any megawatts on this because they figured -- and this
21 is the Stirling solar dish engine, so the amount of
22 acres per dish or per megawatt out there allowed them
23 to put the same amount of Stirling dishes in that
24 place. So they didn't lose any number of dishes at
25 this point. The DEIS was published on the 2nd of

1 April and the comment period ends on the 2nd of July.

2 Imperial Valley Solar, another Stirling
3 engine dish project, is in El Centro. Again, Phase 1,
4 Phase 2: Phase 1 is 2600 acres with 300 megawatts.
5 And Phase 2 is 3500 acres with 450 megawatts. They
6 rearranged the footprint on this one during the course
7 of the process. The Army Corps of Engineers was going
8 to use what's called 404B-1 permit. It's a nationwide
9 Waters of the US permit they issued. They were going
10 to issue this, but they had some stipulations of
11 avoiding several of the washes that go through this.

12 So Stirling -- so Imperial Valley Solar or
13 Stirling Solar removed those, they redid their
14 footprint to remove the dishes out of the washes and
15 up on top, so that was okay with the Army Corps of
16 Engineers. So they are moving forward with that.
17 Anything else, Tom Zale, that you can think of?

18 MR. ZALE: Would be reduced to under what you
19 just described as 709 megawatts.

20 MR. MILLER: That's right. Now it's down
21 from 750 down to 709 megawatts because of that
22 mitigation.

23 But the EIS was published February 26, and
24 the comment period ended in May and the draft final
25 EIS is being prepared and potentially sent to the

1 Environmental Protection Agency on the 9th of June.
2 And it should be out the 21st -- the programatic
3 agreement for Section 106 -- that's our tribal
4 consultation -- should be ready by the 21st of June.
5 All these projects are going to require that.

6 You got something else to say?

7 MR. ZALE: So I think probably when you
8 transferred this to this computer, the dates got
9 tweaked a little bit. And I believe that the final is
10 actually intended to be released in the first part of
11 July. I want to say July 16th.

12 MR. MILLER: Yeah, I think you are right. I
13 may have put the wrong number in there, 6-9 instead of
14 7-9.

15 MR. ZALE: Just a computer transfer error.

16 MR. MILLER: Yes, I think it was, Mr. Razo.
17 So our signed programatic agreement will be available
18 August 13.

19 So Solar Millennium Palen on the I-10
20 corridor. It is one of the Palen and Blythe and
21 NextEra. These are all fast-track projects, by the
22 way. And I will answer that fast-track question in a
23 minute. 2970 acres, 500 megawatts. Actually, they
24 are putting like 484 megawatts but nominally 500 is
25 what they're looking at. The DEIS published on the

1 7th of April and comment period ends the 1st of July.
2 The Admin Final EIS is being prepared right now for
3 those, for that one and these others. So next slide
4 please.

5 Let me answer the fast track. Mr. Rudnick
6 asked a question on fast tracks. The fast tracks were
7 designated -- one major reason was that they were
8 farthest along in the process of getting their power
9 purchase agreement, their connect agreement with
10 Cal-ISO, their plan of development prepared, their
11 cost of recovery accounts set up, their coordination
12 with Fish and Wildlife Service, and with county was
13 all ready to go and ready for approval by end of the
14 year 2010. That's how we selected the fast track.

15 So if they didn't meet any of those criteria,
16 plus they were also in areas that were already
17 identified within the REAT process as solar --
18 commercial renewable energy zones. And they were also
19 identified as -- they received an application -- the
20 BLM received an application for their right-of-way.
21 And all these criteria to meet the fast track. If
22 they didn't meet one of the criteria, they weren't
23 included.

24 MEMBER RUDNICK: Will there be fast tracks in
25 the future?

1 MR. MILLER: I hope not. I'm not calling
2 them fast tracks from now on. They are second
3 generation is what we are calling them. Next
4 generation. And we do have a list of our -- maybe our
5 next generation, 2011 projects, that I can share with
6 maybe Mr. Acuna, if Teri thinks it's possible. No?
7 Not ready? But soon.

8 So moving on to Solar Millennium Blythe,
9 again on the I-10 corridor, this has several
10 alternatives that they are still looking at at this
11 point in time. The Draft EIS was sent out, and they
12 have identified all these alternatives. They haven't
13 selected a preferred alternative yet, but once they
14 do, they might -- they will nail that down for the
15 Final EIS plan. Again, this is a larger acres, more
16 megawatts, solar trough technology, like that that you
17 see at Kramer Junction when you are driving up the 395
18 and 58. Instead of 1,000 megawatts, they are looking
19 at 984, 982 megawatts, around there.

20 Next. Solar Millennium Ridgecrest. You saw
21 this area yesterday. Brown Road in the middle there
22 bisects this project. This is the latest layout that
23 I have. I'm not sure if it's changed or not. It may
24 have. That's why at this point in time the Solar
25 Millennium Ridgecrest proponent has asked the Energy

1 Commission to -- for a delay or reschedule in their
2 schedule. And they have come up with a new time frame
3 for that. They are right now preparing or proposing
4 their new schedule, and we haven't seen that yet. As
5 soon as they do, we will know when they propose to
6 finish. They would like us to finish the process and
7 when we are getting ready to move to a Record of
8 Decision.

9 The issues -- there are many issues
10 surrounding why they decided to delay this. I think
11 they thought that they are just making sure that the
12 public is aware of all the issues and gathering more
13 information and making sure that all the information
14 has been gathered.

15 So the comment period ends for the draft on
16 the 8th of July for this one. And then we will
17 probably -- under BLM, there will probably -- for the
18 final EIS, they will probably delay that until they've
19 decided what their final terms are going to be. It
20 may require a supplement. It's hard to say.

21 NextEra Ford Dry Lake. The application area
22 is all in blue there and the lighter blue, you can
23 hardly see it in the middle, is what their proposed
24 footprint is going to be. So they have gone down from
25 almost, I would say, 12,000 acres down to 4,000 acres.

1 This is another solar trough technology, 250
2 megawatts. The comment period ends on the 8th of July
3 for this one.

4 Next. So this is our photovoltaic. I don't
5 have a footprint for this. Couldn't find one. I have
6 to look longer. But this is a 560 acre, 45 megawatt
7 photovoltaic. The Draft EIS went out in February and
8 the comment period ended in May. The Admin Draft
9 Final EIS is ready for review. Should be ready
10 June 30. So there is a process the BLM takes before
11 we go forward with Notice of Availability for these.
12 We have several briefings that we do. One with the
13 District Manager, one with the State Director, and one
14 with the Washington office strike team. We do have a
15 Biological Opinion that we received on the 11th of
16 June. That's the final deal. No jeopardy call on
17 that one.

18 First Solar Desert Sunlight. This is another
19 photovoltaic out on the I-10 corridor by Desert Center
20 just straight north of Desert Center. It's 4,000
21 acres. The 4,000 acres is just the area in blue
22 there. The larger area is like 14,000 acres, and that
23 was the original application. It's 550 megawatts,
24 photovoltaic. The Admin Draft EIS is under review
25 right now, that's our internal draft, and should be

1 ready proposed for publication. It's not going to be
2 on the 14th -- it should be ready for the 14th of July
3 for publication. That's what we are hoping. That one
4 has changed footprint several times with a lot of
5 input from the public -- everybody.

6 Now, I don't have my wind projects up there
7 because of the computer transfer thing again. But
8 Tule Wind, we talked about that one. That is getting
9 ready for an Admin Draft EIS review.

10 MR. ZALE: We are reviewing that in draft
11 right now. The 10th of August, I think, is the date
12 that we would expect to publish the draft. It's a
13 joint EIR/EIS co-led by the Public Utilities
14 Commission and BLM. It looks at San Diego Gas and
15 Electric proposed east county substation in addition
16 to the Tule Wind project because they are connected.
17 The County of San Diego, State Lands Commission and
18 the Bureau of Indian Affairs and the Department of
19 Energy are all property agencies and will be using the
20 document to render different decisions relative to
21 those project proposals.

22 MR. MILLER: This one is unique in that it
23 has BIA lands there. So when you were talking about
24 getting information from private or federal, this
25 includes state, private, federal, county and bureau.

1 So it's a very interesting collaborative project with
2 Tule Wind. The other one is Granite Wind. The EIS
3 draft has already been out and through the process.
4 We are working on a final EIS right now, draft, and
5 when will that one be out, Mickey?

6 MR. QUILLMAN: Comments are due by the 7th of
7 July. It should be probably 60 days after that.

8 MR. MILLER: We still have the draft comment
9 period for the draft that ends the first week of July.
10 2nd of July. And then so 60 days after that we will
11 probably have a final EIS out for that one.

12 The other one is Daggett Ridge in the Barstow
13 area. That one is going through another review for
14 the Admin draft, EIS. We are taking into account --
15 all these wind applications are taking into account
16 Eagle Act issues and military issues as well. We are
17 making sure the military is well informed. There was
18 a comment about that earlier.

19 We have a protocol with the military, the
20 Department of Defense, where we provide them
21 information on mega tower location, turbine locations
22 and they consult on whether these are going to impact
23 their mission or not and how maybe we can not impact
24 the mission by working with them..

25 MR. QUILLMAN: That includes height as well

1 as radar.

2 MR. MILLER: Height, yes. And the latest
3 issue is the radar and Doppler effect associated with
4 the radar, and we are working with them on that.

5 The next thing we have is now we finally have
6 a rental out for solar. The latest news is our rental
7 came out. It's going to be based on a base rent per
8 acre of the footprint, or actually of the application
9 area. And it's going to be based upon -- and also on
10 a megawatt capacity fee. So how much megawatts they
11 are proposing to supply on a yearly basis. For
12 instance, one of those with a 450 megawatt
13 application, that's how much they would be charged
14 for. So for photovoltaic, for the base rent depends
15 on the county. For San Bernardino County it's \$125.56
16 per acre. For other areas, it's more, and for other
17 areas it's less, depending on which county and which
18 state you are in. The a megawatt capacity for
19 photovoltaic is \$5,256 per megawatt, and that's a 20
20 percent capacity factor.

21 For concentrated solar power, which is the
22 thermal solar power without storage, \$6570 per
23 megawatt, that was figured on a 25 percent capacity
24 factor. And CSP with storage for more than three
25 hours, it's \$7,884 megawatt with a 30 percent capacity

1 factor. And the base rent is going to be right away.
2 As soon as the Record of Decision is signed, as soon
3 as the grant is issued. The capacity -- megawatt
4 capacity is going to be issued as soon as they get --
5 it's going to be phased in over a five-year period.
6 So the first year will be 20 percent of the megawatt
7 capacity, then 40 the second year, 60, 80, and then
8 100 percent on year five.

9 For example, for 4,000 acre, 400 megawatt
10 photovoltaic technology solar facility in San
11 Bernardino County, the base rent is \$502,000 per year,
12 plus \$2 million capacity fee a year over 20 years. So
13 in year five, the total will be \$2,604,640 per year
14 for photovoltaic. For a 400 megawatt, 4000 acre
15 concentrated solar thermal, without storage in San
16 Bernardino, \$502,000, with a 2.6 million dollar
17 capacity fee based over, with 20 percent year one, 40
18 percent year two. By year five, \$3,130,240 a year.

19 So you see right now with these larger areas
20 with large megawatts, it's going to start adding up.
21 So we finally have a solar rental amount we can share
22 with the solar industry, and believe me, they know
23 about it already.

24 MEMBER FITZPATRICK: Obvious question, but
25 this base grant is based on the total footprint,

1 including roads that come in, everything, the whole
2 package? And then they are being charged per acre for
3 that? Not just for the footprint of the solar panels
4 themselves or the wind?

5 MR. MILLER: The acres are based on their
6 application area.

7 MEMBER FITZPATRICK: For a layman, that's the
8 total footprint?

9 MR. MILLER: Go back here. So for
10 instance -- is there a laser pointer somewhere? If
11 you look at this outline area, that's in black.
12 That's their application area. Their footprint is
13 only the blue. But if they are going to keep the
14 application area, so this black area -- the outline
15 area is their application area, 15,000 acres; their
16 footprint is only 4,000 acres. If they choose to
17 maintain this application area, they will be charged
18 for that application area even though their footprint
19 is only 4,000 acres. What that does is says, we don't
20 want you having all this area. We want you to reduce
21 it to what is right for the footprint for a solar
22 facility. It's going to cost you less in the long
23 run.

24 MEMBER FITZPATRICK: So the moment they
25 expand to more area, then their rent is going to go up

1 based on the application area -- excuse me -- based on
2 the base area being expanded?

3 MR. MILLER: Right. Good question.
4 Appreciate that. Okay. Moving down.

5 So the other updated solar policy we have is
6 the term, the length of the --

7 MEMBER RUDNICK: Back on the cost. When you
8 are talking about a 20 and 30 percent factor, can you
9 explain that?

10 MR. MILLER: This is going to be tough for me
11 to explain. I was thinking about putting all the
12 language in there, but it would have been confusing
13 and a whole bunch of words on the screen, so I wanted
14 to just put bullets.

15 What they are doing is they are determining
16 that the capacity for a photovoltaic technology, this
17 is done with the Department of Energy and the BLM,
18 Department of Energy is saying that they only get
19 about 20 percent of their total capacity to the
20 electrical facility at any one time instead of 100
21 percent. So it's a technology capacity that they
22 don't meet that full capacity all the time. So it's
23 more --

24 MR. HALLENBECK: Are you charging them that
25 dollar amount regardless of the amount they produce,

1 or charging \$5,256 per every megawatt they produce?

2 MR. MILLER: What they produce.

3 MR. HALLENBECK: So you are using the 20
4 percent estimate factor to show an estimate of how
5 much it might cost. If they operate at 40 percent, it
6 will be twice as much.

7 MR. MILLER: No. I put this in the wrong
8 place. The 20 percent capacity factor was figured
9 into the \$5,200. So based upon how much energy they
10 could produce, photovoltaic is less efficient, so they
11 use only 20 percent capacity factor on that. Solar
12 thermal is more efficient, so they are using a 30
13 percent capacity factor with solar. So depending on
14 the efficiency of the technology. That's what they
15 are saying.

16 MR. HALLENBECK: Are you charging them per
17 what they actually produce?

18 MR. MILLER: Whatever their nominal number
19 was. If they say we are going to get 450 megawatts
20 out, that's how much we are going to charge. If they
21 only do 300 megawatts in the year, they still pay for
22 450 megawatts.

23 MEMBER RUDNICK: But you are adjusting the
24 price by 20 percent?

25 MR. MILLER: No. I'm sorry. The 25 percent

1 and 20 percent is the capacity of the efficiency
2 factor built into the megawatt base.

3 MR. KALISH: Installed capacity.

4 MR. MILLER: Yes, installed capacity.

5 MEMBER HOLLIDAY: That's the gross they can
6 put out.

7 MR. MILLER: Yes. During the day they can
8 produce more and at night less.

9 MEMBER RUDNICK: I think I understand. It's
10 part of your formula to figure out your megawatt
11 charge. How does this compare with private property,
12 rental on private property, if you do a comparison?

13 MR. MILLER: As far as for the megawatts or
14 for the base rent?

15 MEMBER RUDNICK: Either one.

16 MR. MILLER: I think the Department of
17 Energy, they did their -- with the BLM in Washington,
18 they did their determination based upon what we have
19 done. We used -- we did an appraisal on two areas in
20 California, Ivanpah SEGS was appraised. And Imperial
21 Valley Solar, the one down in El Centro. Appraisals
22 were done for how much in rental or how much it would
23 cost to rent or to lease those lands, based upon
24 everything else around it, based upon the county, use
25 of the county. So for the base rent, they went with

1 private land, public land, everything else in the
2 county, so they used that.

3 For megawatt capacity fees, they used not
4 only wind, but oil and gas. They used other factors
5 to help determine -- and geothermal -- to help
6 determine how much they would charge for megawatt
7 capacity.

8 The other thing I have to say is that with
9 solar, because it's an exclusive use, they are using
10 the base rent because it's an exclusive use. For wind
11 they don't have a base rent. All they have is the
12 megawatt fee because it's not exclusive use. They put
13 in wind turbines, and other uses can happen around
14 them. Desert tortoises can actually burrow under the
15 cement of some of the wind turbines that they have out
16 there. There are a lot of other areas that Meg and Ed
17 know about where motor bikes and other recreational
18 people will zip around the towers. Now, with the
19 solar facility, it's all fenced off. So it's
20 exclusive use.

21 MEMBER FITZPATRICK: It took me a minute to
22 process this. So based on my earlier question, I come
23 forward and I get to put a huge chunk of land set
24 aside for future use, real estate, but I don't have to
25 pay the government or anybody on holding that land?

1 The outline you drew said, you know, that they only
2 have to pay on --

3 MR. MILLER: No, no, no. You heard me
4 backwards. I said the outline, that whole big area,
5 was what they had to pay for.

6 MEMBER FITZPATRICK: That's the 4,000 acres.

7 MR. MILLER: They have to pay for 15,000,
8 even though they are only using 4,000.

9 CHAIRMAN ACUNA: What if someone wanted to
10 use a portion of the area that they have? Could they
11 use that?

12 MR. MILLER: For what?

13 MEMBER FITZPATRICK: Because I don't
14 understand in your example what they were paying for
15 that 15,000.

16 CHAIRMAN ACUNA: Here is the deal. The
17 shaded area in this box, they are paying for that. We
18 get that. But the area outside of that area --

19 MR. MILLER: They are paying for that, as
20 well, if they want to hold it.

21 CHAIRMAN ACUNA: Are they paying the same fee
22 as they are the dark?

23 MR. MILLER: Yes.

24 CHAIRMAN ACUNA: So if they don't pay for
25 the fee outside that area, can I go in and make an

1 application for that property and pay? I'm not
2 excluded?

3 MR. MILLER: Let me clarify what I said, Tom.
4 Because the fees for this whole area are going to be
5 the same fees for this, per acre. Doesn't matter.
6 Even per megawatt, because we are saying it's a base
7 rent of \$5200 per acre. Even if they are just using
8 this area, they are still paying for this whole area,
9 \$5200 per acre so --

10 MR. QUILLMAN: \$125 for acre, base rate. And
11 then you pay on the megawatts. Just on the -- what's
12 up there.

13 MR. MILLER: You see how confused I get.
14 Actually, this is in Riverside, which I think is like
15 \$300 per acre, so it's even more. They would be
16 paying per acre this whole thing. Even though they
17 are only putting in a footprint of 4,000 acres, they
18 are paying for the 15,000 acres. And the idea --
19 secondly, the BLM is not going to allow them to
20 maintain this area by themselves without -- this is
21 not going to be set aside as exclusionary for nobody
22 else. BLM will not allow that. We will ask them --
23 and we have done this already -- to reduce their
24 application area to a reasonable amount that only
25 covers the footprint and maybe a little more, not the

1 extra 10,000 acres that they have.

2 MEMBER FITZPATRICK: Just to clarify, because
3 I'm a little slow. The other 10,000 that they
4 released, they never paid on at all?

5 MR. MILLER: Nobody has paid on anything yet.

6 MEMBER FITZPATRICK: But when they go forward
7 if they release 10,000 and that will be back in the
8 hopper, and the other 4,000, they are going to pay on
9 that only?

10 MR. MILLER: Correct. Is that clear as mud?

11 MEMBER HOLLIDAY: You said the BLM is not
12 going to allow them to hang onto that forever. What
13 is the time frame that they have for doing something.

14 MR. MILLER: We won't issue a Record of
15 Decision or a grant until they release that. They
16 will not get their grant until they release that.

17 MEMBER HOLLIDAY: They won't be able to even
18 start up the other stuff?

19 MR. MILLER: No nothing. They won't be able
20 to proceed at all. No Notice to Proceed, no Record of
21 Decision, no grant.

22 MR. HOGAN: So after the decision is issued
23 and the right-of-way grant is offered to First Solar
24 for the 4,000 acres and you say, okay, of the
25 remaining 11,000 acres of your application here, if

1 you do not want this, you can relinquish that 11,000
2 acres. And they choose to do that. There is another
3 applicant that chooses to come in, applicant Second
4 Solar comes in, and says, okay, Second Solar now
5 applies for that 11,000 acres. A new applicant
6 buddies up to First Solar, and you treat them as a new
7 applicant. And you are off to the races with a whole
8 new application and dealing with that.

9 If they choose to not relinquish, then they
10 are up for the Full Monty of charges that they get.
11 However, if there is a linear right-of-way that is
12 leading transmission, they pay linear right-of-way
13 transmission charges going in, linear road charges,
14 all of those things that are on a different schedule
15 that go in. But the site right-of-way is based on the
16 new schedule that's here?

17 MR. MILLER: Correct. Correct.

18 MR. HOGAN: Does that help clarify?

19 MR. MILLER: Right. You're talking realty
20 here. You know all this stuff already.

21 MR. HOGAN: I was hoping that hopefully in
22 that realty morass, that maybe it helped clarify.

23 MR. MILLER: Yeah, let me explain a little
24 bit more. Thanks, Mike.

25 They've applied for a right-of-way for a

1 transmission line that comes down through here and all
2 the way down here to a substation right here, along
3 BLM lands. So what this area is for the solar rental;
4 this would be for linear rental that we already have
5 schedules for that. They would charge them for that
6 as well, not just for the footprint but for all
7 appurtenances, roads leading into there, transmission
8 lines coming out and going in. But if it's within the
9 footprint of their proposed facility, it's charged as
10 a solar facility.

11 Back here.

12 MS. MERK: I'm sorry. I'm still confused.
13 We are talking about 4,000 and 10,000 acres. On the
14 4,000 acres that are going to be -- that they are
15 going to be using for their footprint, and then they
16 are going to release back to the government 6,000
17 acres, will it go back into the status of unclassified
18 and multiple use? Or is it going to go back into a
19 status special for energy needs?

20 CHAIRMAN ACUNA: I just want to make
21 everybody aware that there is a public comment period
22 after his presentation. And I think I would like to
23 see us let Greg complete his presentation so we can
24 stay on time. At 2:45 we are going to take public
25 comment.

1 MR. MILLER: I will be done real soon. And
2 remember that question because I have the answer for
3 you.

4 So to the more policy that just came out, it
5 was a clarification. It's an updated policy of the
6 2007 solar policy we had issued. The term of
7 authorization is going to be 20 years. There was talk
8 about a 30-year term, but most power purchase
9 agreement are 20 years long, so it meets the same time
10 frame. They can apply for an extension of that term
11 as long as they have a power purchase agreement that
12 extends past that term.

13 There is going to be a performance and
14 reclamation bonding required prior to the Notice to
15 Proceed. It's going to be based upon our mining and
16 oil and gas regulations and mining regulations, 3809
17 regulations that we have. And it's going to be based
18 on environmental liabilities or hazardous materials,
19 so they will be looking at that. Decommission and
20 removal of improvements and facilities. And also the
21 reclamation, revegetaion, and restoration and soil
22 stabilization. So this falls into the revegetation
23 area, the plants and communities out there and things
24 like that.

25 And that's the last slide. No. One more.

1 So what is happening on the Desert District? We are
2 addressing this type 2 wind testing application
3 backlog that we have, and we are starting to move
4 through that. We have been given direction on how we
5 need to move through that, so that's going to be
6 addressed over the next few months.

7 We are working for tribal consultation to
8 make sure that those tribes -- all the tribes in the
9 CDD are aware of how we are moving forward with this
10 type 2 wind application backlog. We are looking at
11 the applications that are in the proposed National
12 Trails Monument to see how we will reply to their
13 status, whether they want to move forward. And that's
14 going to be moved forward through to the Washington
15 office for most likely a secretary to the
16 Congresswoman discussion.

17 The future project workload analysis we are
18 doing -- and that's what I mentioned earlier as far as
19 our future workload, what is coming up, where it's
20 going to be and who we are going to put on that. And
21 the RECO team involvement, the Renewable Energy
22 Coordinating Office team in the CDD is becoming more
23 involved with the renewable energy projects that are
24 in the field offices. Some of the case files are now
25 moved down to the district office for us to use or to

1 process, and we are starting to move through those
2 with project managers, realty specialists,
3 archaeologist. We have a team of folks who are
4 helping to process those applications, with the great
5 help from the different field offices' staff that are
6 out there. We are still relying on the field office
7 staff for their knowledge of the area, but we are
8 running -- the process is being managed through the
9 Renewable Energy Coordinating Office. And that's it.

10 Okay. A question. Sorry about that time.

11 CHAIRMAN ACUNA: I have a question regarding
12 the agenda here. If you look at the 2:45 item, it
13 says public comment on renewable program update. Is
14 there not an opportunity for the DAC to talk, ask
15 questions first?

16 MR. RAZO: Always.

17 MR. MILLER: Do I get to answer that
18 question?

19 MEMBER GROSSGLASS: My guess is the answer
20 would be no.

21 MR. RAZO: That wouldn't be on there.

22 CHAIRMAN ACUNA: Before we go to that, let me
23 ask questions from the DAC members of Greg's
24 presentation. Do we have questions for Greg?

25 MEMBER FITZPATRICK: I apologize for

1 interrupting. It wasn't clear to me.

2 MEMBER HOLLIDAY: Me too.

3 CHAIRMAN ACUNA: You actually got some
4 questions off the table.

5 MEMBER BANIS: Hi, Greg. I have BP on the
6 mind. What is the worst case scenario envisioned by
7 the proponents or consultants as to what kinds of
8 disasters could potentially occur on any of these
9 solar sites? Is there any chance that the land on
10 these sites would be permanently put out of use due to
11 potential contamination?

12 MR. MILLER: Well, if you ask the proponents,
13 they are going to say there is no possible way
14 anything will happen. But that's why we have our
15 specialists go into the field and we have experts who
16 are working with hazardous materials issues and stuff
17 like that, especially when it comes with the Energy
18 Commission. They have been invaluable with their
19 technical expertise on heat transfer fluids and what
20 their potential impacts could be if a spill occurred
21 of molten salt and different technologies, as well as
22 the National Renewable Energy Laboratory out of
23 Illinois or something like that. They have been
24 helpful, too, as far as helping to address some of the
25 hazardous materials associated with some of these

1 facilities.

2 And then they always -- and so the worst case
3 scenario could be a spill primarily of the heat
4 transfer fluid. They are working -- and if you have
5 ever visited the -- what is now the Florida Power and
6 Light Facility at Kramer Junction, they have adjusted
7 their tubing. It's a better tubing now and it's more
8 shock resistant, doesn't break as easily, and they
9 have a better heat transfer fluid. They are adjusting
10 technologies every day to prevent those type of things
11 from happening. And I don't think they have had a
12 spill there and they have been there since '80?

13 MR. BRIERY: Huge fire.

14 MR. MILLER: I stand corrected. So they are
15 looking into that.

16 As far as the other technologies go, we are
17 still looking at this nickel cadmium situation with
18 photovoltaics, so we are looking into that. And we
19 have some people who are interested in that issue. So
20 I have been forwarding some of that information and
21 some of those questions to the national laboratories
22 and some folks in DC, and they are looking at that to
23 see whether we can alleviate some of the concerns or
24 maybe they can propose some more safety facilities.

25 But BLM is requiring a safety plan before

1 they get -- they start construction, a Notice to
2 Proceed. We are requiring a safety plan, we are
3 requiring a hazardous waste plan, a fire plan. If
4 there happens to be a fire, what they are going to do.
5 A transportation plan -- all these plans are required
6 under our guidance policy prior to them moving
7 forward. And if it's not approved or a reasonable
8 plan that doesn't look like it's going to work very
9 well, then we won't give them the NTP.

10 CHAIRMAN ACUNA: Tom next.

11 MR. HALLENBECK: How many fast tracks did you
12 cover?

13 MR. MILLER: I think I covered 12 projects,
14 the bulk of the fast tracks. There are two fast track
15 projects that were actually -- actually, we had 13
16 fast track projects in California. One of them was a
17 repower that was done and gone.

18 MR. HALLENBECK: Mr. Chairman, at the end of
19 the meeting, we could consider an agenda item for the
20 rest of the renewable energy project update?

21 CHAIRMAN ACUNA: Very good. Alex.

22 MEMBER SCHRIENER: Some of these projects
23 that have groundwater usage, is there a groundwater
24 monitoring program in place, including subsidence?

25 MR. MILLER: Depends on what they are using

1 the water for. But from what I understand in
2 California law -- and I don't know if this is for
3 certain -- first of all, they can't use potable
4 groundwater for cooling on any of these sites. So now
5 every solar thermal facility we have has gone to dry
6 cooling only. So they are not using any wet cooling
7 technology at all. And the water they are using right
8 now is very minimal, from what I understand. It's for
9 washing the mirrors and maybe for some of the
10 facilities there, like the steam towers and stuff like
11 that.

12 MEMBER SCHRIENER: But it's groundwater, even
13 if not potable groundwater.

14 MR. MILLER: It may be groundwater. Even
15 some of them are looking at trucking in water for some
16 of the washing and different utilities they are using,
17 maybe to lay on the road for dust control as well.
18 But it's a combination. But if they do use
19 groundwater, they will have a groundwater monitor.
20 And it will be a determination of how much water is
21 available and how much they can use. Some areas the
22 water is already too little that they won't be able to
23 use it. They are piping in from other areas that they
24 have given okay to. They are using reclaimed water
25 for some of that. There are a lot of different

1 technologies, a lot of ingenuity, making sure they can
2 go through this without using groundwater at all.

3 MEMBER SALL: Speaking to Randy's first
4 question about envisioning the BP environmental
5 disaster, on the ecosystem level it's my understanding
6 from the scientific community, it's my understanding
7 that a pristine desert vegetation landscape can
8 currently not be recreated after these projects reach
9 their term. So what is the reclamation bonding
10 process? Can you speak to that at all?

11 MR. MILLER: You are right, April. And I
12 forgot to address those. Once these desert
13 communities are disturbed, they will never come back
14 the same way again. And as a long-term BLM biologist
15 and educated biologist, I understand that completely.
16 That's just the way things happen.

17 For the bonding and the reclamation bonding,
18 they are looking at reclaiming it to where it can be
19 put to a useful -- first of all, getting all of the
20 equipment off the ground and out of there. Reclaiming
21 the site so that it visually doesn't look like a
22 parking lot, quote-unquote. And they may have to do
23 some recontouring to make it look like the same
24 contours they had before. This all depends on where
25 it's at. It all depends on what the technology is.

1 And all depends on pretty much those two items, if
2 it's going to be -- if they are going to blade the
3 area, like a lot of the solar trough technology, they
4 are looking at blading and scraping off all the
5 vegetation, making it flat, making terraces in some
6 areas.

7 We would require them to bring it back to the
8 same topography that they had before. It would look
9 different as far as vegetation. They would be
10 required to replant some native vegetation out there.
11 They are looking at nurseries. A lot of plans are
12 talking about putting nurseries together to have those
13 plants that they can grow that are right near the
14 area, asking them to remove the topsoil and put it up
15 in a place nearby so that the topsoil isn't trucked
16 off somewhere so they can use it again.

17 So there are -- a lot of these reclamation
18 and rehabilitation plans are really being thought out
19 well and being looked at from both sides of the
20 equation, from the proponent's and from environmental
21 and BLM and Energy Commission side. Everybody is
22 looking at these because should something go wrong and
23 should they default on their project, then the BLM
24 takes it over. But we want to have the funding to be
25 able to put it back to where it was and how it looked

1 before.

2 It also depends on at the end of the term --
3 so under our California Desert Conservation Area Plan,
4 our Land Use Plan Amendment, if it's approved as a
5 solar facility, it will then be approved, most likely,
6 as suitable for solar development. If that became in
7 20 years -- if that company decided to quit and pulled
8 out and they removed all their equipment, we could
9 rent that area or issue a grant to that area again for
10 another solar facility.

11 MEMBER GUNN: Now, as far as the stored -- I
12 mean, we are talking about 20, 30, 50 years. How are
13 they going to store that adequately?

14 MR. MILLER: They are going to store it
15 on-site somewhere. I don't have any of the "how" that
16 is going to be done.

17 MEMBER GUNN: Would it still be good after
18 that amount of time?

19 MR. MILLER: Good question.

20 CHAIRMAN ACUNA: Okay. I just want to
21 remind everybody, and I will let you go, Richard, it's
22 2:50. And we are five minutes behind to let the
23 public so I just want to remind you.

24 MEMBER RUDNICK: You mentioned with
25 photovoltaic there is some possible pollution problems

1 with heavy metals, cadmium or something.

2 MR. MILLER: Right.

3 MEMBER RUDNICK: Is that from the washing
4 process or from some other destructive --

5 MR. MILLER: Not from the washing process.
6 In the thin film photovoltaic technology, they are
7 using nickel cadmium for some of the construction of
8 those. And should something happen where they break
9 apart or something like that, they might have --

10 MEMBER RUDNICK: So simple washing wouldn't
11 contaminate it?

12 MR. MILLER: No, not at all.

13 MEMBER GUNN: Just in addition to what I
14 asked, you said "good question," but is anyone looking
15 into it?

16 MR. MILLER: I'm sure somebody is. And I
17 don't know who it is. That isn't something I have
18 read or seen as to how long they are going to store it
19 or whether it would be viable after 20 years.

20 MEMBER GUNN: Where I am getting to is how
21 would they restore the land, even with the native
22 vegetation, if they don't have the topsoil?

23 MR. MILLER: Good question.

24 CHAIRMAN ACUNA: I think this discussion has
25 been really a good example of "what if," and the fact

1 is that 20 years from now, technology could be far
2 different and more efficient and many of these sites
3 would be economically unfeasible to continue. And
4 then we will be faced with how to restore it. And
5 these questions that the group is asking will be
6 meaningful to the process. Saying that, I think Randy
7 has a motion, but we won't make a move on this until
8 after the public has had an opportunity to speak.

9 MEMBER BANIS: Thank you. I move that the
10 assessments of impacts on recreation for renewable
11 projects include a map with the affected routes,
12 motorized routes. In the event that the route network
13 is settled, it should be designated routes. In the
14 occurrence that it is unsettled, such as the El Paso
15 Collaborative Access Planning Area, that that map
16 include both designated routes and existing routes
17 that are still in play for potential designation.

18 CHAIRMAN ACUNA: Before we take a vote and do
19 the public, we will need a second. And then we will
20 have the public comments, and then we will take a
21 vote. Is there a second to Randy's motion?

22 MEMBER MITZELFELT: Second.

23 MEMBER SALL: I have a question for
24 clarification. Are we talking about only motorized
25 trails or nonmotorized, as well, like Pacific Crest

1 Trails or whatever?

2 MEMBER BANIS: My motion was designated
3 motorized routes of travel.

4 CHAIRMAN ACUNA: We will hold on that for a
5 moment for a vote. And let's open it up to public
6 comment. I would like to invite Sophia Merk to
7 provide some comment, too. Please keep your focus on
8 Greg's presentation to these renewable projects.

9 MS. MERK: My name is Sophia Merk. I do have
10 a question in regards to the 4,000 and the 10,000 and
11 the 6,000 that is left over. Will it be released back
12 into unclassified and multiple use, or will it be
13 permanently designated for energy? Could you answer
14 that, please?

15 MR. MILLER: That is a "depends." It depends
16 on how we identify those areas in our Environmental
17 Impact Statement. An area could be identified that's
18 outside of the proposed project area as an area not
19 suitable for development of energy, solar or wind. Or
20 it could go back into what the land classification was
21 before it was applied for, for a solar energy
22 development.

23 MS. MERK: Would that be dependent upon
24 whether there was an amendment to the process?

25 MR. MILLER: Amendment to the process?

1 MS. MERK: Some of your EIS's have solar
2 amendments to them, which would forever take it out of
3 the multiple use classification. So that's my
4 question.

5 MR. MILLER: For the individual project's
6 EIS, right now we do not have any areas inside those
7 proposed areas identified as being exclusionaries for
8 any other use. The one example I showed you with
9 First Solar, they had the large acres of application
10 and the small footprint. As I mentioned, the BLM is
11 not entertaining the application area and the rest of
12 the application area as an exclusion area. They would
13 release that area back to the designated
14 classification it was before.

15 Now, for the Solar Programmatic Environmental
16 Impact Statement, those areas are being looked at as
17 exclusion areas or as areas suitable for solar
18 development.

19 MS. MERK: That is one thing that your chart
20 did not indicate. It did not indicate how many of
21 them had the amendments with them. And that was what
22 was confusing to me. So could you tell me how many of
23 those projects contained the amendments to the plan?
24 I'm on meds. What can I say?

25 MR. MILLER: Help me understand. You are

1 talking about the Solar Programatic EIS? Those are
2 the study areas you are looking at?

3 MS. MERK: Yes.

4 MR. MILLER: Five of the nine solar had --
5 are within solar energy study areas. The four along
6 the Interstate 10 corridor in Riverside, and Calico
7 Solar in Barstow, those five.

8 MS. MERK: I have another question, too. You
9 presented in your charts that there were two places
10 that had biological opinions that were outstanding
11 that pass through the comment periods. But you did
12 not mention that the Ridgecrest solar project was also
13 outstanding. So now we have three that we do not have
14 a biological opinion on yet; however, the comment
15 periods are ending. Could you comment on that?

16 MR. MILLER: So the comment periods are
17 ending on the Draft EIS. And that's our NEPA
18 document. That's a document between the Fish and
19 Wildlife Service and the BLM. And there is usually no
20 public comment for the Biological Opinion.

21 MS. MERK: But usually the public takes into
22 consideration the Biologic Opinions before they can
23 make a valid opinion of what they think. And it's
24 very helpful to the public to have those Biological
25 Opinions before they send a letter off to the BLM and

1 the CEC.

2 MR. MILLER: Under our biological
3 assessment -- that's prior to the Biological
4 Opinion -- that's what we send to the Fish and
5 Wildlife Service. That is developed while we are in
6 the public comment period for the Draft EIS.

7 MS. MERK: Not always.

8 MR. MILLER: On these it is. So we don't
9 have a Biological Opinion issued yet. We have one on
10 Chevron and that's the only one we have issued. And
11 the others are right now with the Fish and Wildlife
12 Service. The Biological Opinions, two are getting
13 ready to be published or finalized relatively soon. I
14 don't know where Ridgecrest is at. I think the
15 biological assessment is still being reviewed.

16 MS. MERK: Yet it closed May 21.

17 MR. MILLER: What closed?

18 MS. MERK: For the CEC part.

19 MR. MILLER: Yes. So the information within
20 the NEPA document is the same information we put in
21 the biological assessment.

22 MS. MERK: So when is the native assessment
23 going to be completed after the people have a chance
24 to look at it before the comment periods end on that
25 too?

1 MR. MILLER: I don't understand that
2 question.

3 CHAIRMAN ACUNA: Can I step in just for a
4 second here. And I think what Sophia is saying is
5 that, look, the BLM reaches a decision, yet there are
6 other decisions that occur after your decision. And
7 what you are saying is how can you make a decision if
8 you haven't given her the final US Fish and Wildlife
9 Biological Opinion?

10 MR. MILLER: We do not reach a decision until
11 we have heard from the Fish and Wildlife Service and
12 from consultation. We cannot issue a Record of
13 Decision without biological decision and programatic
14 decision. We have not made a decision yet and we
15 won't until we receive all the information for us to
16 make the decision.

17 MS. MERK: But how can the public do it
18 without all those opinions available to them before
19 they make a conclusion?

20 MR. MILLER: That's where the 90-day comment
21 period for the Draft EIS comes in. We describe what
22 we are doing with tribal consultation and with Section
23 106. We describe what we are doing with the
24 consultation with Fish and Wildlife Service. And
25 those are our business with those entities. Our

1 business with the public involves the Draft EIS and
2 all that information is within there. So you were
3 privy to that information in that EIS, and that 90-day
4 comment period is where that goes. At least that's my
5 understanding.

6 MS. MERK: We were not going to resolve this
7 here. Thank you.

8 CHAIRMAN ACUNA: Let's talk more about this.

9 MR. HALLENBECK: The purpose of the document
10 is to describe the project, describe its impacts, and
11 that's what they are asking for comments on. They are
12 not asking for comments on what the mitigation ratios
13 are.

14 MR. MILLER: That's what I think I just said.
15 I think I said during that 90-day comment period is
16 when the public has the opportunity to comment with
17 the public scoping meetings and the workshops that the
18 Energy Commission is holding and the hearings that the
19 Energy Commission is holding. All those opportunities
20 are open to the public.

21 CHAIRMAN ACUNA: Okay. Complicated topic
22 and deserves a little more discussion at a later time.
23 But so that we can move on and be fair to the other
24 speakers, why don't we move ahead. The next standing
25 speaker is John Stewart.

1 MR. STEWART: John Stewart, California
2 Association of Four-Wheel Drive Clubs.

3 You mentioned under the renewable energy that
4 there would be a disaster plan and something about
5 fires. I'm curious if that is going to take the fire
6 from which perspective: No. 1, the perspective of a
7 fire within the facility due to a malfunction or
8 something within the facility; and No. 2 is the
9 potential impact of a wildlife fire that could
10 endanger the facility from outside.

11 And I also looked at the impact of routes.
12 There were several that the maps proposed areas have
13 routes in there that were within the projected project
14 area. And this does beg the question: What is the
15 overall cumulative impact of these proposals on the
16 entire access route system within the desert area?
17 That's something that identifying these and looking at
18 these on a piecemeal process or project by project
19 kind of obscures the fact that there is cumulative
20 impact on everything out there, not only on the routes
21 but the potential critical habitat for species.

22 And then talking about groundwater, and you
23 mentioned a little something about the Corps of
24 Engineers and the 404 thing for the wash, as well. If
25 you are going to have an impact on the groundwater,

1 the question is -- just really begs the questions, if
2 you do not use groundwater, that's one thing. But
3 will that project actually impact the recharge of the
4 groundwater through an aquifer setup. If some of
5 these projects are put into an alluvial plain or into
6 a wash area where natural runoff of water would come
7 down and then disappear into the groundwater, what
8 would the impact of these projects be on the recharge
9 rate of the aquifer, because that is a significant
10 impact to the groundwater from that perspective.

11 And also, when you look at groundwater, has
12 it been looked at with the Porter-Cologne Act from the
13 State of California is going to come into play because
14 the groundwaters are waters of the State of
15 California, and if you are going to have an impact on
16 them, would you have to address the impact under
17 Porter-Cologne.

18 CHAIRMAN ACUNA: Okay, to be fair, you only
19 get three minutes to answer.

20 DIRECTOR RAML: And you don't have to comment
21 if you don't have an answer.

22 MR. MILLER: The fire question, yes. I mean,
23 I'm fairly certain -- I know for sure they are looking
24 at fires that may happen within the facility and I'm
25 fairly certain they need to look at wildfires because

1 they need to know what to do for protection.

2 Moving on to groundwater -- because I can't
3 remember the second one -- I don't know about the
4 Porter-Cologne. I'm not sure about that. They are
5 going to be looking at -- for sure, looking at whether
6 the -- what the discharge or what the withdraw is of
7 the water table and then analyzing what might be --
8 what the recharge is. There is going to be some water
9 analysis for groundwater of some sort, especially if
10 they are looking at drawing any water out at all.

11 MR. STEWART: Drawing water out is one thing,
12 but allowing it to be recharged back in and preventing
13 that is another factor.

14 MR. MILLER: What we are requiring them to do
15 is what's called a surface water runoff plan so that
16 should a storm event occur that comes down -- a
17 100-year storm event comes down and washes through the
18 area, what are they proposing on these sites to
19 mitigate that runoff? Is it going to just wash away
20 their area? Are they rerouting it around and are they
21 storing it in detention ponds? We are evaluating
22 those answers. What was the second.

23 MR. STEWART: Impact of routes.

24 CHAIRMAN ACUNA: John, I'm sorry. Maybe you
25 could take it off line. But I would really like to

1 get to the next speaker and continue so we make
2 progress. We have some other speakers that need to
3 speak.

4 MR. MILLER: I was trying to clarify the
5 questions. Do I need to answer or no?

6 CHAIRMAN ACUNA: No. I don't mean to be
7 rude. You are doing a great job, but I do know that
8 there is a time certain we need to try to get out of
9 here. So let's move on to Ed Waldheim.

10 MR. WALDHEIM: Mr. Chairman, Ed Waldheim. I
11 appreciate Greg's doing your presentation. One of the
12 things I think that the subcommittee or the committee
13 or the task force you have needs to do is make sure we
14 have overlays. The BLM has very good opportunities or
15 abilities, I learned being in the map business without
16 wanting to with Friends of Jawbone, you are almost God
17 when you are on that computer. All you have to do is
18 put it in what you want and bingo, it's in there. And
19 you can take out also anything you want to when you
20 press the right button.

21 So I think we should follow Mr. Randy Banis's
22 motion in that we have an overlay of the effects of
23 our designated route system or our recreational
24 opportunities on these maps so the subgroup can
25 clearly see what effect that has. And that should be

1 the basis as we go to these agencies, as I did with
2 Beacon Solar and the one I did with Stirling on the
3 Ivanpah one to try to make sure they follow up and
4 give us the trails back. I just want to make sure we
5 don't lose our connectivity with the trails and we
6 don't lose opportunity out in the desert.

7 The second thing I would like to see
8 Mr. Banis to amend your motion to also include a
9 portion of the military. The military is key to us
10 here. Jim Welling from Boron made that very clear. I
11 don't know why they are not here at this meeting. The
12 military should be here. They are an integral part to
13 the total economy of East Kern. If we lose that and
14 if we start monkeying around with the wind turbines,
15 and therefore, we are biting into the livelihood of
16 East Kern County without even realizing it. And they
17 are not even here at the table. So something has
18 slipped through the cracks and we need to get them
19 here.

20 I hope Mr. Banis will include a very strong
21 message so the military knows the DAC is thinking
22 about them and we are taking them into consideration
23 so the Kern County Board of Supervisors feel more
24 comfortable.

25 CHAIRMAN ACUNA: I believe that is the end

1 of our public comment period --

2 MR. MATTHEWS: Mr. Chairman, I --

3 CHAIRMAN ACUNA: I'm sorry, did you put a
4 "various" on yours?

5 MR. MATTHEWS: I only withdrew my comments
6 for that particular item that we addressed before.
7 But my original submittal was for this.

8 CHAIRMAN ACUNA: Okay. Three minutes.

9 MR. MATTHEWS: Dave Matthews, Ridgecrest,
10 general public. I have a question. I think I know
11 some of the answers.

12 CHAIRMAN ACUNA: We are not answering
13 questions at this moment, but your comments are
14 welcome.

15 MR. MATTHEWS: Well, my comment is this:
16 That I believe the fast track program started two or
17 three years ago, and it's nationwide, as I recall --
18 it's not just California -- I don't know that there is
19 any new projects actually on line in California. So
20 the term "fast track" is relative.

21 The idea of the rentals and the rates for the
22 use of these solar and wind energy facilities are
23 great from a taxpayer's standpoint because the BLM and
24 other government agencies definitely are involved.
25 And these fees can offset some of the taxpayer dollars

1 that would otherwise go to provide funding for those
2 agencies.

3 However, let's not forget, even though those
4 fees are being charged to the applicants, who is going
5 to end up paying them? It's you and I as ratepayers
6 for the use of the electricity once it gets to our
7 house. So don't forget, even though the government is
8 trying to provide additional energy sources so that we
9 don't have to rely on oil all the time, they are also
10 putting their hand out and saying, okay, I want some
11 money for this. And that comes back to the ratepayers
12 as an increase in cost. So there is counter-action
13 going on here by the government itself. I guess at
14 this point in time that's my only comment. Thank you.

15 CHAIRMAN ACUNA: Thank you, Dave. Yes, Mike
16 Hogan.

17 MR. HOGAN: I appreciate this final comment
18 for the day. Michael Hogan.

19 I appreciate Greg for giving us the briefing
20 on the renewable energy. Just a couple quick facts as
21 we are going over what renewable energy has done. I
22 would like to bring back, really, a couple other facts
23 here.

24 Going back to what FLPMA is all about,
25 originally it provided 12 million acres of multiple

1 use for the California Desert Conservation Area. In
2 1980 when the CDCA plan was originally written and
3 passed, it was supposed to be a balanced management
4 alternative. Fifty plus ACEC's for conservation were
5 passed, yet zero development zones, and that includes
6 anything for renewable energy were included in that,
7 although the CDCA plan does discuss solar and wind as
8 being a key component in the CDCA plan.

9 Since then, over 147 amendments were
10 completed, which included recently WEMO, NECO, NEMO.
11 In WEMO, 1.7 million acres of Mojave ground squirrel
12 conservation area lands were set aside, which really
13 impacted the Ridgecrest field office area. In '94,
14 the California Desert Protection Act, which took Death
15 Valley and East Mojave, reducing the California Desert
16 Conservation Area down to about 10 million acres, but
17 it created 69 wilderness areas.

18 In 2009, President Obama created the Omnibus
19 Act, which added wilderness lands and created more
20 ACEC's. And now we are facing the Desert Protection
21 Act of 2010, which is potentially going to add the
22 Mother Road National Monument, more wilderness. It's
23 going to terminate renewable energy projects along the
24 I-40 and I-15 corridors. This could impact
25 transmission access routes, energy projects, and

1 national security.

2 In the meantime, 30,182 men and woman died in
3 Iraq or have been wounded in Iraq, and 4,287 have
4 died. And we are talking about pristine lands. I
5 think what we really need to do is be looking at a way
6 for this DAC to move renewable energy forward at the
7 fastest pace possible. There was Secretary Water in
8 March --

9 CHAIRMAN ACUNA: We are at your limit on
10 time.

11 MR. HOGAN: I hope men and women in Iraq have
12 a little more time than my three minutes.

13 CHAIRMAN ACUNA: Thank you. Okay. I think
14 that concludes. We have no more speakers. And we
15 will move on to the next part of the meeting. That
16 would be the 3 o'clock agenda item, the Imperial Sand
17 Dunes Recreation --

18 MEMBER BANIS: We have a motion on the floor.

19 CHAIRMAN ACUNA: Very good. Thank you. The
20 DAC has a need to make a vote on your motion. And
21 your motion is -- I won't repeat it because we have
22 gone there already. We have heard from the public.
23 Those that favor your motion.

24 MEMBER RUDNICK: I would like to amend it.

25 MEMBER GROSSGLASS: I would like discussion.

1 MEMBER RUDNICK: I would like to propose an
2 amendment to include all trails, including
3 nonmotorized trails, in the overlay of the map.

4 CHAIRMAN ACUNA: All trails including
5 nonmotorized.

6 MEMBER BANIS: Maker and seconder of the
7 motion agree.

8 CHAIRMAN ACUNA: Friendly amendment here.

9 MR. HALLENBECK: Just another amendment to
10 include all roads, city, county and state and federal.

11 MEMBER BANIS: I believe those are already on
12 the maps, to the best of my understanding. I have not
13 yet seen a project map that didn't have that. Is that
14 the case? That's already on the maps.

15 CHAIRMAN ACUNA: Are things a little more
16 clear?

17 MEMBER GROSSGLASS: Where do you want this
18 new map, these new additions to the maps to be?

19 MEMBER BANIS: Environmental documents.

20 CHAIRMAN ACUNA: Yes. So they would be
21 included in the environmental documents, the overlay
22 of the trails or even nonmotorized trails included in
23 the environmental document affected by the proposed
24 project.

25 MEMBER GROSSGLASS: I didn't know if it was

1 something special for us or in the environmental
2 document. Thank you.

3 CHAIRMAN ACUNA: That is our recommendation.
4 Is there any other discussion points from the DAC?
5 Okay. I think we are ready to take a vote. Those who
6 support this motion, please raise your hand. Very
7 good. Those who oppose it, please raise your hand.
8 Motion passes.

9 Now we are ready to move on to the next
10 speaker. This will be Mr. Neil Hamada.

11 MR. HAMADA: Good afternoon, DAC members. My
12 name is Neil Hamada, ISDRA recreation manager. And I
13 went back and looked through the meeting minutes and
14 typed up what specific questions were asked of me at
15 the last meeting. And what were -- what was in the
16 motion, as well as some of the questions that just
17 came up in discussion. So I hope I cover all those
18 today, those being to have fee program overview,
19 history of the access in the Glamis/Boardmanville
20 area, what are the consequences of the fencing for the
21 railroad, a review of the prohibition of off-highway
22 vehicles on Ted Kipf Road, and what is BLM responsible
23 for.

24 So for the fee program summary, what I
25 decided to cover was basically who, what, when, where

1 and how we manage our fee programs. Picture in the
2 background is a project that occurred this summer
3 where we were maintaining access to the Wash Road area
4 with the railroad fence in the background.

5 So who do we charge? I've got some
6 interesting photos up there. We charge each street-
7 legal primary vehicle, so those include trucks, motor
8 homes, cars. They do not include trailers, fifth
9 wheels, toy haulers, off-highway vehicles or specific
10 types of towed-in vehicles. So if you -- basically if
11 you drive it into the recreation area, you are
12 required to have a noncommercial special recreation
13 permit.

14 We have an on-site and off-site fee schedule.
15 This graphic you see here is part of our marketing
16 campaign that was produced by our contractor. On-line
17 sales for a weekly are 25 and for a season are 90.
18 And at the dunes, it's 40 per weekly or 120 for a
19 season. Currently we are collecting approximately 66
20 percent of our sales off-site. And there is more
21 details about this in our El Centro office report if
22 you want specific numbers on permit sales. But right
23 now about 20 percent of our sales are season permits.
24 And that has been steady since we started the fee
25 program.

1 When are permits required? There has been
2 quite a bit of discussion on this item in regards to
3 entry fee, special recreation permit fee. But what
4 our "Federal Register" notice says is that permits are
5 required immediately upon arrival in the Imperial Sand
6 Dunes unless exempted by the Federal Land and
7 Recreation Enhancement Act. So here we have a picture
8 of vehicles coming into the sand dunes on a holiday
9 weekend. In the past it's been known to back up 10 to
10 15 miles on the highway with the amount of vehicles we
11 have entering at the same time.

12 So where are permits required? The permits
13 are required in this fee boundary, which is indicated
14 on this map by the brown line. This brown line is one
15 mile outside of the recreation area, which is
16 generally the railroad tracks, the new Coachella
17 Canal -- or the old Coachella Canal, I'm sorry --
18 Mammoth Wash, and the southern boundary is the
19 international boundary.

20 I wanted to point out the NECO area that
21 borders the Imperial Sand Dunes at the railroad
22 tracks. I will be talking about that a little more in
23 this presentation.

24 So how do we collect our revenues? This is
25 cut and pasted right off our contractor's Web site,

1 imperialsanddunes.net. It says four ways to buy your
2 permit: On-line, by phone, local stores and at the
3 dunes. Until we started this differential fee
4 program, the highest percentage of off-site sales we
5 had was 14 percent. This is our second year of
6 collecting fees off-site with the differential fee
7 program, and as I said earlier, it's up to 66 percent.
8 Our goal is to hit 80 percent sales off-site. So we
9 are almost there. On-line sales are available, phone
10 sales are available, but a very, very small percentage
11 of permits are sold in that manner. But local stores
12 and local retailers are selling permits for us and
13 have become a significant source of permits for
14 visitors.

15 Year to date, we have injected over 190,000
16 dollars back into the regional and local economy by
17 selling our permits through vendors and local stores,
18 gas stations, restaurants and so forth in the
19 communities in Los Angeles, San Diego, Phoenix, Yuma,
20 and a few others, by allowing them to keep 10 percent
21 of the revenues. So we are getting people in the
22 stores. We are getting them to buy not only our
23 permit, but also the items they would stop there for,
24 fuel, ice and other products.

25 So all of these would be considered off-site

1 at the local stores, phone and home line. But at the
2 dunes here is what we consider on-site at the higher
3 price. And those on-site sales would occur at either
4 the ranger station, on the side of the road we set up
5 convenient locations, as well as the private locations
6 within the Sand Dunes Recreation Areas, the Glamis
7 store and other vendors that sell on-site.

8 One of the questions I was asked was why do
9 we charge fees in the NECO area, the area I mentioned
10 earlier, because that's not in the recreation area
11 boundary. Well, what happened was in 1999 when we
12 started charging fees, we did not include that area.
13 And we had a large shift in visitation patterns.
14 Human nature does not want to pay if you don't have
15 to. So the visitors of the dunes decided they would
16 camp on the other side of the railroad tracks, 50 feet
17 from one side to the other. And so they moved from
18 the open area into the limited use area so they
19 wouldn't have to pay a fee. The problem with that,
20 No. 1, was the safety issue of crossing the railroad
21 tracks, but also it's Desert Tortoise habitat, a
22 limited use area with very few designated routes that
23 lead you to the sand dunes.

24 The visitors that were in that area were
25 still utilizing the dunes resources and not paying a

1 fee. We wanted to keep that area open to legal
2 camping. Other areas have closed their camping and
3 access to areas near fee areas. Good example is in
4 Arizona. They have closed pretty much all the desert
5 from camping near the LTVA. You can't camp in the
6 desert unless you camp in the fee area. We wanted to
7 keep it open, so we extended the fee boundary. We
8 basically thought that if the visitors feel those
9 rules are too restrictive in the limited use area,
10 they can come to the open area, and that's what
11 happened. The visitation shifted back within the open
12 area; intensive use went back into the designated
13 area.

14 So one of the questions I was posed with as
15 topics was to describe the historical access, so I am
16 going to try to do that in the next few slides.
17 Laying this out geographically for the Council, we
18 have the railroad tracks, Glamis, which is a private
19 property, Ted Kipf Road, a county road, Boardmanville
20 is a private land area. We will be talking about Wash
21 10, Wash Road, and then all this area out here is
22 historical camping. So Boardmanville is on the east
23 side, the camping area on the west side, with Wash
24 Road and railroad tracks and Ted Kipf Road between the
25 two. Highway 78 is way up here. This is just the

1 very corner of the area. It's actually private land,
2 but near the wilderness area.

3 I know that many of you probably haven't been
4 down the Wash Road, so I wanted to show an example of
5 what we are talking about when we talk about the Wash
6 Road and Wash 10. This is the Wash Road, Union
7 Pacific railroad, looking southeast here. This is the
8 old Wash Road that used to be accessible by our
9 visitors. As you drive southeast along this road,
10 there are these culverts that we call washes that
11 people paint. It provides access for the water to go
12 under the railroad tracks. So if you notice all of
13 these triangular shapes here, those are all levees;
14 so you have the natural washes. They all get funneled
15 through by the levees and come underneath at these
16 washes.

17 This is a typical wash here that's
18 inaccessible by vehicle. It's pretty low, it's
19 probably two and a half to three feet high. Most of
20 them are like that or even smaller, lower or circular
21 in shape. This is the only one that's been accessible
22 over the years. It's an underpass that's been dug
23 out. And it's located at Wash 10. And ATV's, some of
24 the older style dune buggies, low vehicles can pass
25 through it. Some of the larger vehicles are not able

1 to go underneath there.

2 And those vehicles that are too large to go
3 underneath and want to get to the other side of the
4 railroad tracks would basically drive north -- here is
5 the Glamis store. We have the levees, Wash Road, here
6 is some people camping. So what they would do is
7 travel up to the highway and cross at the railroad
8 track and 78 intersection, drive out to Ted Kipf Road,
9 and then travel down to the same location.

10 And what is that location? It's
11 Boardmanville. It's private land, basically a
12 location out in the middle of the desert where
13 generations of visitors have been going. It's a bar.
14 You can see all the dollar bills stapled on the wall.
15 They do serve food, and I believe they have Propane
16 and some fuel available.

17 So how did this access issue arise? There
18 has been talk back and forth about what caused this
19 problem. But I think what really brought it to the
20 forefront was the accident that occurred with the
21 three individuals being killed, the three children
22 being killed back in November of '07. I believe it
23 was two 15-year-olds and a nine-year-old who were
24 crossing the tracks and had a collision with one of
25 the trains. So over the years, we have had several

1 fatalities on the railroad tracks, people trying to
2 cross it, getting stuck, for some reason or another
3 walking or riding on the tracks, but this really
4 brought it to the forefront.

5 So I was asked the question, what are the
6 consequences of the fencing? And the access issues
7 weren't really impacted too much with the fencing.
8 What really impacted the access were berms, gates,
9 enforcement and Wash 10 barriers. So I wanted to make
10 sure I covered those items. The railroad states on
11 their Web site that the fencing is basically being
12 built to prevent sand accumulation on the railroad
13 tracks. Here is a picture of the railroad fence
14 basically, delineating the boundaries between the
15 Union Pacific Railroad lands and BLM lands. It's
16 about five feet within the boundary of the Union
17 Pacific Railroad lands.

18 And it was installed in February -- it
19 started being installed right before Presidents' Day
20 weekend. They were actually going to build it all the
21 way to the highway and cut off all access that weekend
22 right before Presidents' Day weekend. We were able to
23 meet with them on an emergency basis and convince them
24 to move it south to Wash 1 and not to cut off access
25 during that first holiday weekend.

1 They also left openings -- you can see how
2 the fence here stopped -- left openings at almost
3 every wash. However, they came along after they
4 finished the fencing and started to install these
5 earthen berms. So while they were installing the
6 fence, visitors were still able to access the wash
7 camping area down the Railroad Wash Road and turn in
8 between these posts. However, subsequent to the
9 completion of the fence, they started to install these
10 berms, and when they did that, it made it much more
11 difficult for visitors to access the area.

12 But what really stopped all the access were a
13 few other things. And that's they installed a gate at
14 the north end so you can see the Wash Road is here
15 behind it. They sent out their Union Pacific Railroad
16 police and started to enforce trespassing on railroad
17 property. And then they installed barricades at the
18 Wash 10 site.

19 So what were the consequences to the private
20 businesses? Of course, Boardmanville saw a
21 significant decrease in business. Jeannie Boardman
22 told me she is ready to go out of business because of
23 the drop of revenues. The Glamis store is seeing a
24 positive increase. Their business has significantly
25 picked up because the visitors that were camping down

1 here in Wash 10 and all in this area crossing and
2 going over to Boardmanville don't have that
3 opportunity anymore and are going up to the Glamis
4 store.

5 So what are the consequences to visitors?
6 Reduces access on the west side of the tracks because
7 BLM built a new road and it stops at Wash 25. Access
8 to the east side, there were a few people that would
9 camp out in this area and ride under the tracks. So
10 that access has been reduced. But I think if you ask
11 our visitors the main complaint, it has changed their
12 experience for the generation of folks that were
13 camping here that used to use that as a destination
14 point, point of interest, an experience for their
15 friends, family and kids to go for a ride out to
16 Boardmanville.

17 So for the BLM, what happened to us? Well,
18 we incurred the cost of building a new road. This is
19 a sand dune field, and we actually cut right through
20 the middle of the sand dunes. There were people on
21 that project, in fact, from the Ridgecrest field
22 office that helped us out. And offices as far away as
23 Oregon and myself out there on a bulldozer and a
24 roller. We built this road and cut through the sand
25 dunes two summers ago. And -- actually, last summer.

1 It was a lot of work and it cost a lot of money, a
2 couple hundred thousand dollars if I recall correctly.
3 So we incurred this cost, and now it's a very high
4 maintenance road because it's through the middle of
5 these dunes. And we rebuilt it again this year at a
6 cost of 200,000 dollars. And we are probably going to
7 need to clear it again. It's halfway covered with
8 sand since we repaired the road about a month and a
9 half ago.

10 We have also improved resource protection in
11 the limited use area, the NECO area being a Desert
12 Tortoise habitat. And with the reduction of access,
13 we moved more people -- more people have been moved
14 back into the open area, thereby protecting the
15 limited use area on the east side of the tracks.

16 So why can't off highway vehicles be ridden
17 on Ted Kipf Road? That was a question asked. And
18 that's basically in the California Vehicle Code,
19 38025(d): A motor vehicle -- or OHV can be towed on
20 the highway but not driven. An OHV can't be driven on
21 a highway. So the next question is what is a highway?
22 It's a publicly maintained route, and that's right out
23 of the California Vehicle Code.

24 Earlier I mentioned the crossing at the
25 railroad tracks. This is a zoomed-in photo off of

1 Google Earth. This CVC Section 38025 also states you
2 can only cross a highway at 90 degrees. What is
3 happening here is the visitors come up to Highway 78
4 and are crossing at the railroad tracks, but they're
5 actually getting on the highway and riding on the
6 highway for a short distance and then getting back
7 off. It would be legal to cross very straight across
8 here. It's illegal per this vehicle code to ride
9 parallel or on the highway at this point -- at all
10 points.

11 Somebody on the DAC, I think, asked, so what
12 is BLM responsible for? I put up four things here:
13 Publically developed management plans, education with
14 our partners, provide visitor services and law
15 enforcement. We don't have authority for the
16 railroad. We don't make decisions for the highway or
17 California Vehicle Code, but we do enforce it. And
18 the reason for that is our El Centro rangers are
19 deputized, so they enforce not only state law but
20 federal law. This enforcement reduces illegal OHV
21 activity. It protects our NECO area and Desert
22 Tortoise habitat, and it increases off-highway vehicle
23 rider safety.

24 Another question I was asked by Dick was how
25 supportive will the BLM be if the county decides to

1 put up the money necessary to construct an OHV access
2 across the railroad tracks between the dunes and the
3 NECO area. We have already had one meeting, I believe
4 it was in April. We were scheduled to have another
5 meeting yesterday, but it was canceled. At this point
6 we are waiting for the county and the railroad to kind
7 of come together on what they can work out for
8 resolution to this issue.

9 I have been communicating with the railroad.
10 I spoke to them as late as yesterday, and the railroad
11 is willing to move forward on a project, a grade
12 separation project if the county is able to up-front
13 the money. If the county is willing to sign an MOU
14 saying they will front the money, the railroad said
15 they will work together with them on a temporary as
16 well as long-term solution. And a temporary solution
17 means riding under Wash 10. But Dick received an
18 e-mail from the county, and he can update us here
19 after I finish.

20 Another good question is what is a navigable
21 wash? The NECO says you can ride in navigable washes.
22 And if you can drive down it without damaging a
23 natural resource, it's a navigable wash. So it's
24 going to be different between a motorcycle, a quad and
25 dune buggy and a four-wheel drive. At Wash 10 it's a

1 navigable wash for large vehicles. I just drove our
2 brand new field manager on Tuesday. And that's
3 between Ted Kipf and Wash 10.

4 Those were the questions I was asked, so I
5 hope I answered all of them to all of your
6 satisfaction. And I will try and end there in the
7 interest of time.

8 CHAIRMAN ACUNA: Very good discussion.
9 Thank you, and we will open it up for DAC discussion.
10 Are there any comments from the DAC on Neil's
11 presentation?

12 MEMBER HOLLIDAY: Let me give an update on
13 the communications that Neil alluded to there with the
14 railroad. The American Sand League has been trying to
15 facilitate a meeting with the railroad and county.
16 And we did. We had this discussion that Neil talked
17 about here a couple months ago. And out of that
18 meeting they left saying that the county would get
19 with the railroad to look at a grade separation. The
20 railroad would be acceptable to that if county paid
21 for it.

22 Well, I got an e-mail here yesterday that the
23 county, they were not going to spend -- it's going to
24 cost probably two million dollars for the grade
25 separation. And the county doesn't have that kind of

1 money to put up for that kind of access. So as far as
2 I'm concerned, it's kind of a done deal. The county
3 isn't going to put the money up. The railroad isn't
4 going to let the people go through there, and the
5 county, they are laying off employees and cancelling
6 welfare payments, and it's not going to look too good
7 to the public to spend 2 million dollars for access to
8 the bar. I think end of the story.

9 CHAIRMAN ACUNA: Any other comments from the
10 DAC members? Okay. Yes, Randy.

11 MEMBER BANIS: Would Greensticker money pay
12 for it?

13 MEMBER HOLLIDAY: You know, you would
14 probably have to do -- I don't know if they will put
15 up 2 million dollars again. I would find it highly
16 unlikely that the Greenstickers would put up that kind
17 of money for that kind of access. It's not affecting
18 very many people. It's affecting one business owner.
19 But the issue is kind of interesting because the
20 business has been declining to this location because
21 Wash 10 used to be accessed easily with dune buggies
22 and bikes and stuff. But since the evolution of the
23 long travel car, I can't get underneath there with my
24 dune buggy. I used to with my old dune buggy because
25 it was a lot shorter. And then the rhinos and the

1 side by sides, they can't get underneath there. So I
2 don't know. Anything is possible, but there would
3 have to be somebody that became the champion of that.

4 MEMBER BANIS: There is no what I would call
5 designated route network on the other side in the
6 NECO?

7 MEMBER HOLLIDAY: The only route in that area
8 between Boardmanville that are legal routes would be a
9 navigable wash, because the signed routes are actually
10 a little bit to the north of Boardmanville. There are
11 some signed routes in there, but really no routes
12 going directly to Boardmanville.

13 MEMBER BANIS: Thank you.

14 CHAIRMAN ACUNA: Any other comments?

15 MEMBER GROSSGLASS: I would love to see the
16 look on Daphne's face when she gets the grants
17 application.

18 CHAIRMAN ACUNA: I think we can open it up
19 for public comments regarding the access issues. And
20 Neil, stand by. John Stewart.

21 MR. STEWART: No comments.

22 CHAIRMAN ACUNA: I don't believe we have any
23 other requests, so we can move ahead.

24 MEMBER GROSSGLASS: That was a great
25 presentation. Thank you.

1 CHAIRMAN ACUNA: Pictures, photos. It was
2 great. Jack Hamby, please, you are going to give
3 us -- oh, I'm going pass the supplemental rules
4 briefings -- we have a break. Do we want to keep
5 going?

6 (Brief recess was taken from 3:49 to 3:53 p.m.)

7 MR. HAMBY: Jack Hamby, associate district
8 manager, California Desert District.

9 Okay. I have been asked to update everyone
10 here on the latest saga of the proposed rules that was
11 explained very well a year ago. Okay. Here we are.
12 A couple of really fascinating things have happened.
13 We have made progress, we passed the assistant
14 secretary for lands and minerals office. They are now
15 sent to the executive secretariat, where they have
16 been sitting since June 7. In glacier time, we are
17 doing very well in getting rules through, given the
18 priorities that the Washington office has.

19 Now, since our last discussion on this
20 subject, we have had two changes. The Washington
21 office insists that we change all "OHV" comments to
22 "ORV" comments so that we can more closely follow 43
23 CFR 8340.0-5. Apparently the bureau has a regulation
24 which defines off-road vehicles that they want us to
25 use, so we did global change on the rules and changed

1 it all over from OHV to ORV.

2 The second item which I found completely
3 interesting was the fact that Washington office was
4 offended by our definition of "nudity." They felt
5 that it was not appropriate to put that definition in
6 a "Federal Register" and subject all of you to that
7 definition. So they have insisted -- and of course we
8 have agreed -- that we will use the definition of
9 nudity found at 14 California Code Regulations 4322.
10 Now, as my esteemed colleague, Mr. Fitzpatrick, as he
11 has asked me, do I know that definition? And you know
12 what? I didn't bring that with me. I apologize. I
13 will get that definition to Mr. Razo and company and
14 we will get the appropriate definition of nudity as
15 stated in California regulations to all of you so you
16 may clearly understand what nudity is.

17 That being said, the latest process -- and
18 here is what I was asked at the last DAC meeting.
19 Okay, so the rules are still going through the
20 Washington office. They are at the department. They
21 will come back from the department, we hope, this
22 year. And we will put them out in the "Federal
23 Register" -- Dick has been promising for months --
24 it's still waiting. So we will get it out in the
25 "Federal Register."

1 Now, please remember that these are interim
2 final rules, which means that we are not commenting
3 from the general public yet until we are able to
4 publish them in the "Federal Register," at which time
5 they are still interim final, but the public will
6 still be able to comment. However, if we deem it's
7 necessary to implement them in full force and effect,
8 then we can while at the same time receiving public
9 comment. So basically we can enforce them, but you
10 can comment on them as we enforce them. We will have
11 a 30-day comment period.

12 Once BLM has considered all the comments, we
13 will put it back into the "Federal Register," which
14 states final rules after the public comment, yet
15 during the time in which they may be in full force and
16 effect. And then we will print all the comments and
17 put something final in the "Federal Register."

18 In the meantime, Mr. Razo's staff is working
19 on the initial parts of the communication plan, and I
20 have a draft here. I mean, it's really draft. It has
21 X's and O's all over it. But we are working on it.
22 We have a little flyer thing we are putting together,
23 and we are putting together a series of what we want
24 to do in the way of notifying the public and everyone
25 else when they are ready to go.

1 Now, when they are interim, we can enforce
2 them. However, our plan at this time is to enforce
3 them as an educational part. We are going to tell
4 everybody what they are. We are going to encourage
5 the people to start obeying them. And unless somebody
6 gets into the "meaner-neener" affect, which means you
7 ride up to somebody and they say
8 "meaner-neener-neener, I am not going to recognize
9 your rules," then we will use the typical law
10 enforcement tactic of issuing them a friendly
11 citation, standard policy.

12 Let's see. We will work with our interest
13 groups in getting them out. I have a long list of
14 people that we plan on talking to one on one or that
15 will receive our notice, everything from our esteemed
16 senators, Feinstein, Boxer, Lewis. Mr. Mitzelfelt
17 will receive notification. Somebody named Issa,
18 Filner, McKean, and Hunter were also on the list. ASA,
19 CORVA, Friends of the Nematodes, and what other groups
20 need to be consulted with.

21 Okay. That concludes the formal part of my
22 presentation. I would love to entertain any comments
23 whereby I'm qualified to answer.

24 MEMBER FITZPATRICK: I wouldn't waste
25 anybody's time. But the reason I addressed the public

1 nudity versus the nudity is we have many people who
2 come from Europe who do still photography for
3 legitimate magazines in state parks as well as to do
4 topless, so it's a kind of serious question as to
5 whether that can be done. And we will look up the
6 rules because I don't remember California's.

7 MR. HAMBY: We will look up the rules, but
8 I'm pretty sure "topless," whether federal, state, or
9 American, pretty much means the same thing: Somebody
10 is not wearing a shirt.

11 MEMBER FITZPATRICK: It's not just somebody,
12 it's a woman not wearing a shirt. I mean, I'm serious
13 here. It's a very serious issue with the state parks.
14 And that's why I raised it because it affects the
15 ability to film on BLM land. And it's better to know
16 when I get a call from somebody in London, saying can
17 I do that, which I get once a week, those kinds of
18 calls.

19 MR. HAMBY: I didn't want to bring the man
20 versus woman because in California we have "others"
21 also.

22 MEMBER BANIS: It would only be prohibited in
23 developed sites and ORV open areas.

24 MEMBER FITZPATRICK: If that's the way it's
25 interpreted, fine.

1 MR. HAMBY: That's what is in the rule.

2 MEMBER FITZPATRICK: If that's going to be
3 the interpretation of the person who is running the
4 district office, I want to be clear on that because
5 that's where we have issues sometimes on the state
6 side. I'm just bringing it up.

7 DIRECTOR RAML: You raised a very good issue,
8 and we will get back to you.

9 MR. HAMBY: I will be back to you. Other
10 pertinent questions?

11 MR. HALLENBECK: Thank you for being dressed,
12 because I see you are exempt from the rule.

13 MEMBER BANIS: Employees and agents of the
14 BLM are exempt from these rules.

15 DIRECTOR RAML: As I said, you have raised a
16 good point. The public is clothed; the BLM is nude.

17 MEMBER BANIS: Casual Fridays?

18 CHAIRMAN ACUNA: Let's go. So now I think
19 we are done with that agenda. And I would like to
20 open it up for public comment. There is only one
21 standing person, and he does have a shirt.

22 Believe it or not, fans, we are at the
23 wrap-up and summary. And we are very close to
24 adjournment. And before we go there, let's talk about
25 the next meeting.

1 First of all, I wanted to say thank you all
2 for your patience and hard work in hammering out some
3 hard topics and listening to some great presentations
4 and asking good questions. I think we made good
5 progress, and our next meeting promises to be equally
6 as exciting because we are going to be talking about
7 two or three energy projects from a DAC perspective.
8 And I spoke to Greg Miller a moment ago and perhaps
9 another one from his side, so four different projects.
10 I think that will take two hours of time, so whatever
11 agenda we put together we need to allow time for that.

12 And also, Meg, at the beginning of the
13 meeting you had an air quality issue for the Imperial
14 Sand Dunes area, El Centro. We wanted to be briefed
15 on that as a topic. Is it the pleasure of the DAC to
16 have that as a topic? Favorable?
17 We don't need a motion on it.

18 MEMBER HOLLIDAY: Yeah.

19 MEMBER GROSSGLASS: You want someone to come
20 and brief the DAC about that issue?

21 CHAIRMAN ACUNA: Do I see positive -- all
22 right. So that's one. And the other topic I heard
23 was Cal-ISO, California Independent System Operator
24 organizational presentation and how that works for
25 interconnections for renewables to the electric grid

1 of California. Yes, Steve.

2 MR. RAZO: To go along with that, we had
3 talked about having a DRECP/REAT briefing. Cal-ISO
4 plays into that. Maybe we can combine that all into
5 one as a presentation where Cal-ISO would be covered
6 as well as the CEC process, what is the DRECP and the
7 REAT.

8 CHAIRMAN ACUNA: So if you take the air
9 update, that's going to take probably 25 minutes to 30
10 minutes at the minimum, with public comment. And the
11 same with this larger REAT and Cal-ISO discussion,
12 another 30 minutes. Now if you add the other two
13 hours, that's three hours or at least, plus other
14 standing items. Do we have room for anything else?
15 That's my question to you, Steve.

16 MR. RAZO: That's pretty full.

17 CHAIRMAN ACUNA: Okay. So the question here
18 for the DAC is are you okay with that as our agenda
19 for the next meeting?

20 MR. HALLENBECK: Was there interest in
21 follow-up to the alternative energy program, the rest
22 of the program? The status, how many applications,
23 kind of where they are?

24 CHAIRMAN ACUNA: I think we ought to just go
25 with what we have. That would be my suggestion to the

1 DAC to give us a little more time to focus on
2 projects.

3 MR. RAZO: Do you mean a renewable energy
4 update? We could probably provide that on paper as
5 part of your packets.

6 MR. HALLENBECK: That would be great.

7 CHAIRMAN ACUNA: So that's our agenda. Now,
8 our location? Where did we meet last?

9 MR. RAZO: We haven't been to Needles in a
10 while.

11 MEMBER HALLENBECK: South Coast?

12 MR. RAZO: We are working on it.

13 CHAIRMAN ACUNA: What is the pleasure of the
14 DAC for location?

15 MEMBER RUDNICK: Ridgecrest.

16 DIRECTOR RAML: I heard Palm Springs.

17 MEMBER GROSSGLASS: I don't think I have ever
18 been to Needles.

19 CHAIRMAN ACUNA: We were at the casino.

20 MEMBER GROSSGLASS: Somehow I wasn't there.

21 DIRECTOR RAML: And Rusty is not here.

22 MR. QUILLMAN: He is the obvious choice then.

23 CHAIRMAN ACUNA: There is one big advantage,
24 and that is that a number of the energy projects are
25 in the Needles office. And if the assignments were to

1 visit those sites, you could actually do it the
2 Thursday before the larger field day.

3 MEMBER GROSSGLASS: We could stay in
4 Laughlin.

5 CHAIRMAN ACUNA: Steve, does that mean you
6 like Needles?

7 MR. RAZO: You can stay in Laughlin. That's
8 where we usually stay. The Avi resort also we stayed
9 at.

10 MEMBER BANIS: Thirty-two bucks a night.

11 CHAIRMAN ACUNA: So we are all going to have
12 a nice, lovely drive to the next meeting in Needles.
13 The date is going to be selected next. The date we
14 don't want to do which was September -- 10? So what
15 does that leave us?

16 MR. RAZO: The 24th, if you want to do this
17 in September.

18 MEMBER FITZPATRICK: This not good for me.

19 CHAIRMAN ACUNA: How about October?

20 MR. RAZO: By doing it in September, you have
21 the possibility of another meeting in December. If
22 you do it in October, that's the last for the year.
23 And remember, there are five of you falling off this
24 year, so that would be your last meeting. Then you
25 get your package ready for renewal and that would be

1 Shumway, Holliday, Gunn, Banis and Fitzpatrick.

2 MEMBER FITZPATRICK: The only weekend I can't
3 do it in September is the 23rd, 24th and 25th.

4 MEMBER GROSSGLASS: How about 3rd and 4th?

5 MEMBER HALLENBECK: That's Labor Day.

6 CHAIRMAN ACUNA: I suggest as a group we try
7 to do it in October.

8 MEMBER FITZPATRICK: The 30th, October 1 and
9 2?

10 MEMBER HOLLIDAY: I'm not available for the
11 23rd of October.

12 CHAIRMAN ACUNA: Where are we at on dates,
13 then? Let's see now, October 1st and 2nd. That
14 doesn't work? October 2nd would be Saturday, that
15 would be the date of the meeting. If that works with
16 your calendar, please raise your hand. So shall we
17 make it that day, then? We will have to let Dinah
18 know.

19 MEMBER FITZPATRICK: Can I ask a question?
20 Mr. Razo's comment, do we still have another meeting
21 in December if we are in the first weekend of October
22 or not?

23 MR. RAZO: You can. It's up to you.

24 CHAIRMAN ACUNA: There is our second meeting
25 of the year, so we really have an obligation to have

1 four per year. That's our tradition.

2 MEMBER FITZPATRICK: At one time there wasn't
3 a meeting for seven or eight months.

4 CHAIRMAN ACUNA: That was a bad tradition.

5 MEMBER FITZPATRICK: Just to be completely
6 accurate.

7 CHAIRMAN ACUNA: So if we did it in October
8 at the very beginning, that would only be three months
9 until the end of the year. And it would put us right
10 at Christmas and nobody wants to be anywhere at
11 Christmas, so we should probably try to push it in
12 September so we can spread things out. Dinah said the
13 18th would not work and the 11th wouldn't work?

14 MEMBER RUDNICK: What's wrong with having a
15 meeting in two months, like the first of October and
16 the first of December?

17 CHAIRMAN ACUNA: First of October and first
18 of December?

19 CHAIRMAN ACUNA: Okay. That works for me.
20 Okay.

21 MR. RAZO: December 4. December 4 would be
22 our fourth meeting for the year. We will try to get
23 it the 4th. Early in December. The 11th of December,
24 then? December 11th sounds like it would work. And
25 then we are talking about October 2nd for our next

1 meeting. So we will have two meetings before the end
2 of the year? Are you all okay with that?

3 Yes, Jack.

4 MR. HAMBY: I believe you should check your
5 calendar for that week?

6 DIRECTOR RAML: What would I see on it, Jack?

7 MR. HAMBY: You have scheduled the state
8 management team meeting with Mr. Abbott on the 7th,
9 8th and 9th of December.

10 MEMBER GROSSGLASS: But it's not until the
11 11th.

12 MR. HAMBY: The 9th is when we would be
13 traveling. Leave that for Riverside or Palm Springs.
14 That's the week.

15 CHAIRMAN ACUNA: Thanks for bringing that up,
16 Jack. So we have dates and we know when we are going
17 to do that. I would like to ask Teri to provide some
18 summary comments.

19 MEMBER FITZPATRICK: May I interrupt. To not
20 end on a negative note, for a second. Okay. Can Teri
21 overcome this for a second?

22 I would like to just comment on the public
23 comment made by Mr. Hogan of the Solar Winds
24 Environmental Technologies, Incorporated. Without
25 censoring, while his questioning both the collective

1 and individual support by DAC members of those serving
2 in the military may be an exercise of free speech, but
3 it's totally inappropriate and received by this DAC
4 board member as a hostile, impertinent comment. Thank
5 you.

6 MEMBER RUDNICK: Amen.

7 CHAIRMAN ACUNA: Thank you, I appreciate you
8 coming to our defense. And I greatly appreciate that.
9 I'm sure others do, too. Okay.

10 DIRECTOR RAML: On that note, I will be
11 brief. I want to thank you all. I want to thank the
12 DAC first. This was hard work. There is no wonder
13 this sort of stuff is making sausage. I want to thank
14 the field managers for hanging with us. Rusty will
15 pay his price. And I want to thank the members of the
16 public.

17 We watched several members drop off like
18 flies toward the end of the meeting and those here to
19 the very end, I thank you for your attendance. I'm
20 very enthused and appreciative of the hard work the
21 DAC has done and is willing to tackle, and I look
22 forward to the next meeting. Meeting adjourned.

23 (The proceeding was concluded at 4:14 p.m.)

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R E P O R T E R ' S C E R T I F I C A T E

I, JUDITH W. GILLESPIE, CSR, RPR, a Certified
Shorthand Reporter, No. 3710, for the State of
California, do hereby certify that the foregoing pages
comprise a full, true and correct transcription of the
proceedings had and the testimony taken at the hearing
in the hereinbefore-entitled matter of Saturday,
June 19, 2010.

Dated this 7th day of July, 2010, at
Riverside, California.

JUDITH W. GILLESPIE, CSR, RPR

M-O-T-I-O-N-S

A. Moved: Banis
Second: Holliday
Motion: To approve the minutes of the 3/27/10
DAC meeting
Result: Motion carried

B. Moved: Hallenbeck
Second: Banis
Motion: To have the DAC form an ad hoc committee
to provide DAC at a future meeting on the
availability, efficacy and the accuracy and
other aspects of the information available
on these renewable energy projects and the
public's ability to comment effectively and
understand the project as a whole.
Furthermore, that several members of the DAC go
forth and prepare for the next meeting a
summary of their activities on a
project-by-project basis on projects that are
chosen
Result: Motion carried

C. Moved: Banis
Second: Mitzelfelt
Motion: To request assessments of impacts on
recreation for renewable projects include a map
with the affected routes, motorized routes. In
the event that the route network is settled, it
should be designated routes. In the occurrence
that it is unsettled, such as the El Paso
Collaborative Access Planning Area, that that
map include both designated routes and existing
routes that are still in play for potential
designation
Amended: Rudnick
Amendment: To propose an amendment to include all
trails, including nonmotorized trails, in the
overlay of the map
Amended: Hallenbeck
Amendment: To include all roads, city, county and
state and federal in the overlay of the map